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CLASSICAL PHILOLOGY

Volume XXXI

JANUARY 1936

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DAS AUGUSTEISCH-HADRIANISCHE ARMEE- REGLEMENT UND VEGETIUS

ALFRED NEUMANN

DIE für die Kenntnis des römischen Heerwesens der frühen Kaiserzeit bedeutendste Quelle würden zweifellos die leider nicht mehr erhalten gebliebenen Militärvorschriften des Kaisers Augustus bilden.¹ In der antiken Literatur werden sie öfters erwähnt² und als *Constitutio* beziehungsweise *Constitutiones* bezeichnet.³ Doch bleibt es fraglich, ob sie diesen Namen, der erst im zweiten nachchristlichen Jahrhundert als Benennung kaiserlicher Verordnungen nachweisbar ist,⁴ ursprünglich geführt haben. Eine *Digestenstelle*⁵ spricht von einer als *Disciplina* betitelten Schrift des Kaisers und führt daraus eine offensichtlich wörtlich entnommene Verordnung an. Es liegt aber auf der Hand, dass es sich hier nicht um eine von den übrigen Heeresbestimmungen getrennte Schrift,

¹ Die folgenden Ausführungen decken sich soweit die augusteischen Bestimmungen davon berührt werden mit denen von mir in *Klio*, XXVI, Heft 2/3 (1933), 360 ff., dargelegten und ergänzen sie.

² Veget. i. 8 und 27; Suet. *Aug.* 24 und 25; Dio lvii. 3. 2 und 8. 1; *Mon. Ancy.* 8.

³ Veget. i. 8 und 27.

⁴ *RE*, IV, Sp. 1106 ff.

⁵ *Dig.* xlix. 16. 12 (Macer 1. *pr. de re m.*): "Officium regentis exercitum non tantum in danda sed etiam in observanda disciplina constitit. Paternus quoque scripsit, debere eum, qui se meminerit armato praeesse, parcissime commeatum dare, equum militarem extra provinciam duci non permittere, ad opus privatum piscatum venatum militem non mittere, nam in disciplina Augusti ita cavetur." Siehe auch Dankfrid Schenk, "Flavius Vegetius Renatus: Die Quellen der *Epitoma rei militaris*," *Klio*, Beiheft XXII (N.F., Heft IX) (Leipzig, 1930), S. 24, Anm. 3. Der Verfasser drückt sich freilich nicht genau aus, wenn er sagt: "Unter disciplina Augusti sind wohl die Constitutiones Aug. zu verstehen." Denn die Disziplinarvorschriften decken sich natürlich nur zum Teil mit den Heeresbestimmungen des Kaisers.

sondern einem Teil derselben, der sich offenbar mit den wichtigsten disziplinären Grundsätzen befasste, handeln kann. Denn entschieden wäre es sehr unzweckmässig gewesen, die Disziplinarvorschriften von den anderen Militärverordnungen zu trennen, da doch angenommen werden muss, dass alle diese Bestimmungen in der Praxis Anwendung fanden und dementsprechend nur eine alle Vorschriften umfassende und handliche Form am vorteilhaftesten war. Die hadrianische Manöverkritik,⁶ besonders der Vorwurf,⁷ dass die Kavallerie nicht nach der Vorschrift des Kaisers Augustus⁸ gehandelt habe, wäre vollkommen sinnlos gewesen, wenn die damals geltenden Vorschriften den Truppenoffizieren nicht jederzeit zur Verfügung gestanden hätten. Ob aber die erwähnte Bestimmung⁹ bereits im augusteischen Exerzierreglement enthalten war, wie Müller meint,¹⁰ kann meines Erachtens doch nicht mit Sicherheit behauptet werden. Denn einerseits ist die Ergänzung *Augustus est auctor* unsicher, andererseits fand die Inspizierung der lambaesischen Garnison im Jahre 128 n.Ch., also um 8 Jahre später als die hadrianische Heeresreform in Kraft trat,¹¹ statt. Aber selbst wenn die genannte Vorschrift in den Exerzierbestimmungen des Kaisers Augustus zu finden war, ist damit noch nicht entschieden, ob Augustus auch der Urheber dieser Regel gewesen ist.¹²

Eine sehr bekannte Stelle, die zugleich einen Schluss auf die Zeit

⁶ *CIL*, VIII, 2532, 18042; H. Dessau, *ILS*, 2487; H. Delbrück, *Gesch. der Kriegsk.*, II³, 179, und Bernard W. Henderson, *The Life and Principate of the Emperor Hadrian* (London, 1923), S. 93 ff.

⁷ "Contrari discursus non placent mihi. Ne temere, Augustus est auctor, e tecto transcurrat eques et pe(r)sequatur caute. si non videt) qua vadat aut si valuerit ecum r(etinere nequit, non potest quia sit obnoxius caliculis tectis—si vultis congregi debetis concurrere—iam adversus hosti facienda. . . .)"

⁸ Der Name ist leider nicht erhalten und ich folge diesbezüglich wie im übrigen der Ergänzung die Delbrück (a.a.O.) vorgeschlagen hat.

⁹ Aus diesem Reglement führt Vegetius i. 27 eine Vorschrift an, die auch in die hadrianische Exerzierordnung Aufnahme fand.

¹⁰ A. Müller, *Die Manöverkritik des Kaisers Hadrian* (Leipzig, 1900), S. 39. Ihm schliesst sich Delbrück (a.a.O.) und neuestens Fr. Lammert, *Die römische Taktik zu Beginn der Kaiserzeit und die Geschichtsschreibung* (*Philologus*, Supplementband XXIII, Heft II [Leipzig, 1931]), S. 53, an.

¹¹ Wilhelm Weber, *Untersuchungen zur Geschichte des Kaisers Hadrian* (Leipzig, 1907), S. 107.

¹² Neben Augustus wird auch Cato und neuestens von Bernard W. Henderson (a.a.O., S. 97, Anm. 1) Scipio als Urheber angenommen.

der Herausgabe bzw. Inkraftsetzung ermöglicht und dafür meines Wissens noch nicht herangezogen wurde, ist Tac. *Ann.* i. 20. In diesem Kapitel schildert Tacitus den Aufstand einer zwecks Brücken und Wegebauten nach Nauportus abkommandierten Legionsabteilung. Unter den Misshandlungen, die hauptsächlich den Chargen zuteil wurden, hatte besonders der Lagerpräfekt Aufidienus Rufus zu leiden, weil er den alten schweren Dienst wieder einführte.¹³ Rufus wird als ergraut geschildert, ein Zustand, der nach der angegebenen Stelle mehr auf Mühe und Arbeiten als auf normale Alterserscheinungen zurückzuführen ist. Nimmt man daher sein Alter im Jahre 14 n.Ch. zwischen 40–60 Jahren an, so fällt die Geburt in die Jahre 46–26 v.Ch. Trat er mit 17 Jahren wie es die Regel war in das Heer ein, so ergeben sich dafür die Jahre 29–9 v.Ch. Wird nun die Dienstzeit als Gemeiner entsprechend dem bei Tac. *Ann.* i. 20 als *diu manipularis* bezeichneten Rufus auf 16 Jahre gerechnet, so kommt man damit in die Jahre (29–9 v.Ch.)—(13 v.–7 n.Ch.), mit grosser Wahrscheinlichkeit also in die erste Hälfte der Regierungszeit des Kaisers Augustus. Innerhalb dieser Zeit oder kurz darauf, als Rufus schon Zenturio oder Lagerpräfekt ist, muss eine Bestimmung über eine Erleichterung des alten Dienstes erfolgt sein und es ist nicht unwahrscheinlich, dass hier an das Jahr 13 v.Ch. zu denken ist, in dem im wesentlichen die Reorganisation des Heeres ihren Abschluss fand.¹⁴ Worin freilich diese Lockerung bestand, lässt sich nicht näher bestimmen. Denn wenn es auch im Hinblick auf den engen Zusammenhang in den Tacitus¹⁵ die an dem Lagerpräfekten verübten Delikte mit der Einführung des alten Dienstes bringt, nahe liegt, die Erleichterung auf die Belastung und den Marsch zu beziehen, so kann mangels anderer Indizien diese Vermutung doch nicht weiter gestützt werden. Ob der gelockerte Dienst bereits ein in den Wirren des letzten Bürgerkrieges eingerissener Übelstand war, der im Jahre 13 v.Ch. bloss die gesetzliche Genehmigung erhielt, oder ob er erst durch die kaiserliche Verfügung Tatsache wurde, lässt sich zwar auch nicht sicher aber doch

¹³ "Quippe Rufus diu manipularis, dein centurio mox castris praefectus, antiquam duramque militiam revocabat vetus operis ac laboris et eo immitior, quia toleraverat."

¹⁴ H. Dessau, *Römische Kaisergeschichte*, I (Berlin, 1924), 172 ff. und 220 ff.

¹⁵ *Ann.* i. 20: "... praecipua in Aufidienum Rufum praefectum castrorum ira, quem dereptum vehiculo sarcinis gravant aguntque primo in agmine, per ludibrium rogitantes an tam immensa onera tam longa itinera libenter ferret."

mit grosser Wahrscheinlichkeit im Sinne der letzten Auffassung entscheiden. Denn da gemäss den früher gemachten Berechnungen die Dienstzeit des Aufidienus Rufus als Gemeiner zum Teil wahrscheinlich schon in die Zeit vor das Jahr 13 v.Ch. hineinreichte und nach Tacitus Worten¹⁶ angenommen werden muss, dass der Präfekt den alten harten Dienst selbst schon verspürte, so halte ich es für nahezu sicher, dass die in Frage stehende Dienstlockerung erst im Jahre 13 v.Ch. in Kraft trat und als ein Zugeständnis¹⁷ des Kaisers an die Soldaten, deren Dienstdauer zur gleichen Zeit auf 16 Jahre festgesetzt wurde,¹⁸ zu betrachten ist. Immerhin bleibt es noch fraglich, ob die Einführung des alten Dienstes, von der Tacitus an der bezeichneten Stelle spricht, auf einer im Jahre 14 n.Ch. erfolgten Verordnung des Kaisers beruhte, oder ob sie einen widerrechtlichen Versuch des Lagerpräfecten darstellt.¹⁹ Ersteres dürfte nicht so unwahrscheinlich sein, wenn man bedenkt, dass der Kaiser im Jahre 5 n.Ch. die Dienstzeit auf 20 Jahre verlängerte und wie es Sueton *Aug.* 24., er selbst im *Monumentum Ancyranum*, betont, bestrebt war, auf die Einrichtungen der Republik, soweit sie noch Vorteile bringen konnten, zurückzugreifen.²⁰

Die Heeresbestimmungen des Kaisers Augustus enthielten also neben Disziplinarvorschriften mit dem Titel *Disciplina* oder *De disciplina* und einem Exerzier- auch ein Dienstreglement.²¹ Nicht so sicher aber sehr wahrscheinlich ist die Annahme Delbrücks (a.a.O., II³, S. 205 ff.) dass die Bestimmungen auch Kapitel über Aushebung,

¹⁶ *Ibid.*: "... antiquam duramque et eo immitior, quia toleraverat, ..."

¹⁷ Ähnlich scheint der Kaiser im Jahre 5 n.Ch. vorgegangen zu sein. Denn parallel mit der Verlängerung der Dienstzeit um 4 Jahre läuft die Festsetzung der Verabschiedungsprämie für Legionäre auf 12,000, für Prätorianer auf 20,000 Sesterzen. Es ist daher sehr wahrscheinlich, dass diese Summe, wie auch Dessau (*Römische Kaiser-geschichte*, I, 173) vermutet, eine Erhöhung der im Jahre 13 v.Ch. bestimmten bedeutet.

¹⁸ Dessau, *Römische Kaisergeschichte*, I, 172 ff. und 223 ff.

¹⁹ In diesem Falle wäre es natürlich verwunderlich, warum Tacitus davon keine Erwähnung machte. Doch liesse sich deshalb auch ein ungerechtfertigtes Vorgehen des Lagerpräfecten nicht von der Hand weisen.

²⁰ Mit der Normierung der Dienstzeit auf 16 Jahre griff der Kaiser auf eine schon in der Republik diesbezüglich geltende Zahl zurück. Aber auch die Verlängerung auf zwanzig Jahre, die bekanntlich in erster Linie finanziellen Erwägungen ihre Entstehung verdankte, bedeutete betreffs der Zahl ein Zurückgehen auf die Republik (Kromayer-Veith, a.a.O., S. 380, und Dessau, *Römische Kaisergeschichte*, I, 223).

²¹ Wie diese Teile angeordnet waren und in welchem Verhältnis sie zueinander standen, also ob beispielsweise die Exersiervorschriften nur ein Teil des Dienstreglements waren, oder ob sie ein davon deutlich geschiedenes Hauptkapitel der Heeresverfügungen bildeten, lasse ich natürlich dahingestellt.

Anwerbung, Verpflegung, u.s.w., zum Inhalt hatten. Demnach dürften die augusteischen Heeresverfügungen ein richtiges Militärhandbuch gewesen sein, das im Jahre 13 v.Ch. gleichsam als Krönung der Heeresreorganisation ausgegeben wurde.²²

Wie bereits erwähnt, erfolgten schon während der Regierungsperiode des Kaisers Augustus Änderungen und Ergänzungen. Doch ist nicht zu entscheiden, ob die heute noch fassbaren die einzigen gewesen sind. Denn bei den Schriftstellern des Altertums, deren Werke erhalten geblieben sind, wird militärischen Dingen begreiflicherweise nur selten soweit Interesse geschenkt, als es unseren Wünschen entsprechen würde. Andererseits hat die Kampfaktik der römischen Legionen in den Jahrhunderten um Christi Geburt eine durchgreifende Änderung²³ erfahren, die naturgemäss auch eine Umgestaltung der Vorschriften, besonders des Exerzierreglement nach sich ziehen musste. Dass so etwas nicht im Handumdrehen zu machen ist, sondern praktische Erfahrungen immer wieder neue Korrekturen bedingen, bedarf wohl keiner Erklärung.

Auch die nachaugusteische Zeit hat an diesem Reglement gefeilt. Die leider nicht mehr auf uns gekommene Schrift des älteren Plinius *De iaculatione equestri* kann, wie auch Lammert (a.a.O., S. 53) treffend bemerkt, nur als Ergänzung der bestehenden Vorschriften verstanden werden und auch die Verfügungen des Kaisers Traian sind offenbar in diesem Sinn getroffen worden.²⁴ Doch haben die stets fühlbarere Unbehilflichkeit der schweren Legionsinfanterie leicht gerüsteten und schnell beweglichen Feinden gegenüber wie die dementsprechend steigende Bedeutung der Fernwaffen und Reiterei schliesslich zu einer diesen Erfordernissen vollauf Rechnung tragenden

²² Selbstverständlich mussten schon vor diesem Jahr Bestimmungen erlassen worden sein, die sowohl bestehende Einrichtungen sanktionierten, als auch neue Verhältnisse schufen, aber bei der Schwierigkeit der Umwandlung des republikanischen Söldnerheeres in ein stehendes Berufsheer anfangs doch nur als Provisorium gedacht werden konnten.

²³ Lammert, a.a.O.

²⁴ Von den militärischen Bestimmungen des Kaisers Traian wissen wir leider sehr wenig. Ausser Vegetius, der sie i. 8 neben denen des Augustus und Hadrian nennt, muss der 38. Brief des jüngeren Plinius an Traian (*Epist.* x. 38) hervorgehoben werden. Der Kaiser wird hier Begründer und Befestiger der Heeresdisziplin (*conditorem disciplinae militaris firmatoremque*) genannt und zur Entscheidung eines schwierigen Militärstrafrechtsfalles aufgerufen. Wenn daher angenommen werden muss, dass Traian hauptsächlich disziplinäre Bestimmungen getroffen hat, so ist nicht ausgeschlossen, dass bereits von ihm jene Legionsordnung herrührt, die Vegetius im zweiten Buch seines Werkes darstellt und die Schenk (a.a.O., S. 16 ff.) auf Hadrian zurückführt.

Neuaufgabe des augusteischen Heeresreglement durch Hadrian geführt.²⁵

Seine Bestimmungen haben nun neben denen des Augustus und Traian Vegetius bei der Abfassung des Buches *De re militari* als Quelle gedient.²⁶ Ob direkt oder indirekt, darüber sind allerdings die Meinungen geteilt.

Schurz²⁷ und im Anschluss an ihn Mehl²⁸ haben eine direkte Benützung angenommen.

Wer wie Schurz in Vegetius von vornherein einen gewissenhaften Kompilator sieht, der kann sich aus den angeführten Gründen²⁹ nur für eine direkte Benützung entscheiden. Da aber diese Voraussetzung nicht bewiesen werden kann, so besteht auch die Möglichkeit, dass Vegetius die Heeresbestimmungen der genannten Kaiser nur mittelbar durch eine andere Quelle herangezogen hat³⁰ und zugleich den Schein einer direkten Vorlage zu erwecken suchte. Das ist ihm freilich, wenn es wirklich seine Absicht war, in einer moderne Kritiker befriedigenden Art nicht geglückt. Schanz³¹ beispielsweise

²⁵ W. Schurz, *Die Militärreorganisation Hadrians* (Gymnasialprogramme von München-Gladbach, 1897/98). Was hier als hadrianische Neuerung angesehen wird, hat Lammert, a.a.O., zum Teil als vorhadrianisch erwiesen.

²⁶ Veget. i. 8 und 27.

²⁷ A.a.O., S. 14, Anm. 2: "Wie sollte der Kompilator dazu kommen, nachdem er die Verfasser kriegswissenschaftlicher Werke aufgezählt—Cato, Cornelius Celsus, Frontinus, Paternus—in derselben chronologischen Reihenfolge die Constitutiones dreier Kaiser als ihm vorliegende Quellen anzuführen (i. 8)? Wie käme er ferner dazu, die reglementsmässigen Marschübungen speziell als Einrichtungen zu bezeichnen, die durch die Constitutiones des Augustus und Hadrian vorgeschrieben seien (i. 27)?"

²⁸ E. Mehl, *Altrömisches Heeresturnen* (*Mitteilungen des Vereines klassischer Philologen in Wien*, V. Jahrgang [Wien, 1928]), S. 21: "Die turnerischen Teile bilden ein geschlossenes Ganzes, so dass man sehr wohl annehmen kann, dass dem Vegetius ein militärisches Reglement, wie es die Constitutiones Hadrians waren, vorgelegen habe, soweit er nicht ausdrücklich andere Quellen angibt." Auch mit diesem Argument ist natürlich eine indirekte Benützung nicht ausgeschlossen.

²⁹ Siehe Anm. 3.

³⁰ Die Möglichkeit, dass er überhaupt andere Quellen genannt als benützt hat, scheidet, wie Schenk (a.a.O., S. 7), im Gegensatz zu Bruncke und Förster richtig betont, von vornherein schon deswegen aus, weil Vegetius, der eine Epitoma schreiben wollte, keinen Grund haben konnte, seine wahren Quellen zu verschweigen. Das hat ihn aber offenbar nicht gehindert, bloss seine Hauptquellen anzuführen.

³¹ M. Schanz, "Zu den Quellen des Vegetius," *Hermes*, XVI (1881), 141: "Im Gegenteil, schreibt er, lag es für einen Epitomator viel näher, von den späteren Kaisern auszugehen und von den früheren abzusehen. Dieses Verfahren erklärt sich aber sofort in der einleuchtendsten Weise, wenn wir annehmen, dass Vegetius die Constitutiones des Augustus, Traian, Hadrian nicht selbst eingesehen, sondern in seinen Quellenschrift-

hat betont, dass zeitlich genommen die angeführten Verordnungen nicht über die ii. 8 und ii. 3 bezeichneten Quellen hinausreichen und dass nicht recht einzusehen ist, warum Vegetius, wenn er wirklich unmittelbar die kaiserlichen Verfügungen benützt hat, ausgerechnet bei denen Hadrians stehen geblieben ist. Dieser Auffassung hat sich später Plew³² und neuestens auch Dankfrid Schenk³³ angeschlossen. Letzterer weist besonders auf die Umständlichkeit mehrere Quellen heranzuziehen hin und meint, das Vegetius wahrscheinlich nur auf gelegentliche Bemerkungen des Paternus angewiesen war, um festzustellen, was dieser den kaiserlichen Verfügungen entnommen hatte.³⁴

Jeder der unvoreingenommen an die Lösung der Frage nach einer direkten oder indirekten Benützung der erwähnten Constitutiones durch Vegetius herantritt, wird zugeben müssen, dass sich mit den angeführten Argumenten eine mittelbare Heranziehung nicht beweisen lässt. Der Zweck des vegetianischen Werkes war bekanntlich doch der, eine Vorstellung von jener ehernen Disciplin, auf der grösstenteils die römischen Waffenerfolge der Vergangenheit beruhten, zu geben. Deshalb musste Vegetius auf ältere Quellen zurückgreifen. Wenn er daher die Aufzählung der benutzten kaiserlichen Bestimmungen mit Hadrian abschliesst, so ist das nicht weiter auffallend, wenn man bedenkt, dass Hadrian der letzte Wiederhersteller der Disziplin im altrömischen Sinne gewesen ist.³⁵ Die nachhadrianischen Verordnungen zu berücksichtigen, war von vornherein ausgeschlossen, weil sie gemäss der Tendenz des ganzen Buches dafür als Quellen überhaupt nicht in Betracht kommen konnten. Und gerade die besondere Aufgabe, die sich Vegetius mit seinem Werk gestellt hatte, musste es ihm nahe legen und zwar in erster Linie die Constitutiones direkt einzusehen. Die Möglichkeit dazu war insofern leicht, als der Kaiser nach dem Abriss *De dilectu atque exercitatione tironum* Vegetius den Auftrag erteilt hatte, eine Gesamtdarstellung des älteren Heerwesens zu verfassen.

Streng genommen lässt sich also weder eine rein direkte, noch eine

stellern vorgefunden hat. Wenn wir nun bedenken, dass Frontin um 106 starb, so ist klar, dass die Constitutiones des Hadrian dem Vegetius nur durch Paternus bekannt geworden sind."

³² J. Plew, *Quellenuntersuchungen zur Geschichte des Kaisers Hadrian* (Straassburg, 1890), S. 67, Anm. 1.

³³ A.a.O., XXII, S. 24 und 26.

³⁴ *Ibid.*, S. 24.

³⁵ Schurz, a.a.O. (1897), S. 7 ff.

rein indirekte Benützung der kaiserlichen Bestimmungen durch Vegetius beweisen. Gewiss hat Paternus, dem als ehemaligen Offizier das augusteische Heeresreglement mit den traianischen und hadrianischen Änderungen und Zusätzen bekannt sein musste, dieses in seinem Werk über das römische Heerwesen benützt und zweifellos hat Vegetius Paternus vieles entnommen.³⁶ Doch lässt sich einwandfrei nicht beweisen, dass Vegetius nur durch Paternus die kaiserlichen Verfügungen kennengelernt und herangezogen hat.³⁷ Wenn Schenk, a.a.O., S. 25, dafür auch die auffallende Ähnlichkeit zwischen Veget. ii. 19 (53, 13—54, 3) und Dig. ii. 16. 12 geltend macht, so kann diese Übereinstimmung auch durch eine dritte gemeinsame Quelle, nämlich die kaiserlichen Verordnungen selbst erklärt werden. Aber auch die übrigen Schriftsteller, die Vegetius i. 8 und ii. 3 als seine Quellen angibt und die es, wie Schenk (a.a.O.) überzeugend darlegen konnte, auch wirklich waren, haben vermutlich das Heeresreglement ihrer Zeit gekannt und in ihren militärischen Werken verwertet. Für Cato und Frontin, die wie Paternus erfahrene Offiziere waren, stand es wohl ausser Frage. Ebenso aber halte ich es für den unter Tiberius schreibenden Celsus sicher, der obzwar er ein typischer Stubengelehrter war, sich in einer Enzyklopädie, von der die Darstellung des römischen Heerwesens einen Teil bildete, nicht damit begnügen konnte, Catos militärische Schrift bloss auszuschreiben, ohne in irgendeiner Weise auf die herrschenden Heeresnormen seiner Zeit Bezug zu nehmen.

Sicher bleibt daher nur, dass Vegetius die Constitutiones der genannten drei Kaiser oder genauer ausgedrückt, das von Augustus unter entscheidender Mitwirkung Agrippas geschaffene³⁸ und später ergänzte besonders aber durch Traian und Hadrian geänderte Heeresreglement überhaupt benützt hat.

Welche Partien des vegetianischen Werkes kommen nun dafür in Betracht?

Nach Schenk hat Vegetius im ersten Buch nur Celsus, im zweiten bloss Paternus und im dritten wie vierten allein Frontin herangezogen.

³⁶ Schenk, a.a.O., S. 23 ff.

³⁷ Es ist falsch, wenn F. Lammert (*Gnomon*, X, Heft 5 [Mai, 1934], 273) behauptet, dass D. Schenk (a.a.O.) die Auffassung vertritt, Vegetius habe auch durch Celsus und Frontin die kaiserlichen Bestimmungen benützt. Siehe Schenk (a.a.O. Anhang).

³⁸ Jakob Sulzer, *Disciplina: Beiträge zur inneren Geschichte des römischen Heeres von Augustus bis Vespasian* (Basel, 1923), S. 9 ff.

Diese Abgrenzung muss, wie auch Lammert bemerkt,³⁹ als gewaltsam bezeichnet werden, zumal Vegetius auf die jedem einzelnen Buch seines Werkes zu Grunde liegende Kompilation hingewiesen hat⁴⁰ und diese ohne entscheidende Beweise nicht als dem wahren Sachverhalt widersprechend angesehen werden kann. Schenk hat m.E. nur soviel bewiesen, dass Vegetius die angeführten Autoren in den früher bezeichneten Büchern nicht ausschliesslich, sondern überhaupt herangezogen hat. Zusammen mit dem früher Gesagten, liegt daher die Vermutung nahe, dass nicht nur indirekt,⁴¹ sondern auch direkt neben anderen ungenannten Schriftstellern die *Constitutiones* Verwertung fanden.

Abgesehen von i. 27⁴² ist daher nach Abscheidung jener Partien, die sich aus rein sachlichen Gründen⁴³ mit dem Inhalt der kaiserlichen Bestimmungen nicht vereinen lassen, auch für die übrigen Teile des ersten Buches eine Benützung der *Constitutiones* denkbar. Es lag natürlich für Schenk⁴⁴ nahe, anzunehmen, dass das ganze Exerzierreglement auf Cato zurückzuführen sei, aber da sich diese Annahme ebensowenig beweisen wie widerlegen lässt, kann auch die Hypothese von Schurz und Mehl nicht als erledigt betrachtet werden. Doch welche Lösung auch immer diese Frage finden wird, soviel darf schon als sehr wahrscheinlich bezeichnet werden, dass die von Vegetius dargelegte Exerzierordnung, welche im zweiten (23) wie dritten

³⁹ F. Lammert, *Gnomon*, X, Heft 5 (1934), 271ff. Unrichtig ist m. E. die Behauptung, dass sich die beiden Quellenangaben i. 8 und ii. 3 nicht völlig parallelisieren lassen. Denn Vegetius bemerkt ii. 3 nach der Erwähnung Catos, Frontins und namentlich nicht angeführter Autoren: "Horum instituta, horum praecepta, in quantum valeo, strictim fideliterque signabo." Ebenso folgt auf die Aufzählung i. 8 unmittelbar: "Nihil enim mihi auctoritatis adsumo, sed horum, quos supra rettuli, quae dispersa sunt, velut in ordinem epitomata conscribo." Beide Stellen sind daher von Vegetius in erster Linie als Quellenangaben gedacht.

⁴⁰ i. Praef.: "quae apud diversos historicos vel armorum disciplinam docentes dispersa et involuta celantur pro utilitate Romana proferantur in medium."

i. 28: "Haec fidei ac devotionis intuitu, imperator invicti, de universis auctoribus, qui rei militaris disciplinam litteris mandaverunt, in hunc libellum enuncleata congesti." Ebenso i. 8, ii, 3, iii. Praef., 26, iv. Praef.

⁴¹ Das heisst durch Celsus im ersten, durch Frontin im dritten wie vierten, und durch Paternus im zweiten Buch. Demnach müssten in Buch i, iii, und iv die *Constitutiones* Augusti in ihrer ursprünglichen und in Buch ii in der durch Traian und Hadrian geänderten Fassung herangezogen worden sein.

⁴² Dort wird auf die Heeresbestimmungen des Augustus und Hadrian direkt Bezug genommen. Diese Stelle führt Schenk (a.a.O.) auf Paternus zurück, doch ist auch eine direkte Benützung nicht ausgeschlossen.

⁴³ Schenk, a.a.O., S. 26 ff.

⁴⁴ *Ibid.*, S. 38 mit Anm. 1.

Buch (4) nochmals kurz zusammengefasst wird, den Grundzügen nach auch in den Heeresbestimmungen der Kaiser Augustus und Hadrian enthalten war.

Hinsichtlich des zweiten Buches hat für alle Teile desselben bereits Schenk eine Heranziehung der Constitutiones wahrscheinlich gemacht,⁴⁵ doch lässt sie sich auch betreffs des dritten und vierten Buches an den meisten Stellen vermuten.

Schon Schenk hat erkannt, dass die Kapitel iii. 1-5 inhaltlich Reglements darstellen für die in den *Strategemata* Frontins Belege fehlen,⁴⁶ aber zweifellos in seinem allgemeinen militärischen Werk auf das er das ganze dritte und vierte Buch zurückführt, enthalten waren. Und da ist es nicht ausgeschlossen, dass Frontin entweder direkt oder durch Vermittlung einer anderen Quelle auf die Constitutiones zurückgeht. Derselbe Fall ergibt sich auch für iii. 8.⁴⁷ Doch kann noch weiter gegangen und vermutet werden, dass selbst dort, wo sich Berührungspunkte mit den *Strategemata* Frontins ergeben und allgemeine von selbst einleuchtende Sentenzen vorliegen, ohne dass aus irgendwelchen Gründen eine ältere Quelle angenommen werden müsste, eine Verwertung der Constitutiones erfolgt ist.⁴⁸ Die gleiche Vermutung gilt ebenso für den grössten Teil des vierten Buches.

Eine schärfere Abgrenzung und mehr als Wahrscheinlichkeit lässt sich auf Grund bloss allgemeiner Erwägungen, wie sie hier gegeben wurden, natürlich nicht erreichen.⁴⁹

Zusammenfassend kann daher gesagt werden, dass sich weder eine rein direkte noch eine rein indirekte Benützung des von Augustus unter Herübernahme bewährter republikanischer Grundsätze geschaffenen und offenbar im Jahre 13 v.Ch. herausgegebenen, später aber vielfach ergänzten und besonders durch Traian wie Hadrian geänderten Heeresreglement durch Vegetius beweisen lässt. Vielmehr besteht die Möglichkeit, dass Vegetius sowohl mittelbar wie unmittelbar die Constitutiones in allen vier Büchern seines Werkes verwertet hat.

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⁴⁵ *Ibid.*, S. 12 ff.

⁴⁶ *Ibid.*, S. 44.

⁴⁷ *Ibid.*, S. 46.

⁴⁸ Was Schenk (*ibid.*, S. 51) auf Cato zurückführt, kann natürlich der Sache nach nur auch in den Constitutiones enthalten gewesen sein.

⁴⁹ Sichere Ergebnisse können, wie auch Lammert (a.a.O.) bemerkt, nur von einer Behandlung des Vegetius im Rahmen der Taktiker erwartet werden, und eine solche gedenke ich auch in der nächsten Zeit vorzulegen.

PERIOECI IN CRETE

JAKOB A. O. LARSEN

THE object of the present study is to attempt to answer the question whether there existed in Crete a class of subject communities with local self-government similar to the perioeci of Sparta. Throughout the paper "perioeci" will always be used in this sense. If it is doubtful that a word in a source has this meaning, it will be given in its Greek form. The study is based chiefly on epigraphical evidence. A majority of the inscriptions used are found in the *Sammlung der griechischen Dialekt-Inschriften*, but in some cases it has seemed advisable to cite also earlier editions.¹ The conclusion reached is that there is sufficient evidence to affirm that perioeci existed, and to make it possible to describe their status.

It has often been held that there were perioeci in Crete, but most of the discussions in handbooks and histories are based too exclusively on the literary sources. On the one hand, there is Aristotle, who in the *Politics* uses *περίοικοι* to designate a class that corresponds to the helots of Sparta² and so seems to imply that Crete had no class corresponding to the Spartan perioeci; on the other hand, the Hellenistic historian Sosicrates states that the Cretans applied the term *περίοικοι* to their *ὑπήκοοι*.³ The evidence of another Hellenistic writer, Dosiades,

¹ Some of the abbreviations used:

AJA—*American Journal of Archaeology*

BCH—*Bulletin de correspondance hellénique*

Ins. iur.—R. Dareste, B. Haussoulier, and Th. Reinach, *Recueil des inscriptions juridiques grecques* (Paris, 1895–1904)

Kohler-Ziebarth—Josef Kohler and Erich Ziebarth, *Das Stadtrecht von Gortyn* (Göttingen, 1912)

Lipsius—Hermann Lipsius, "Zum Recht von Gortyns," *Abhandlungen der philologisch-historischen Klasse der königlich sächsischen Gesellschaft der Wissenschaften*, XXVII (1909), 391–410

Mon. ant.—*Monumenti antichi pubblicati per cura della Reale Accademia dei Lincei*
Schwyzer—Eduardus Schwyzer, *Dialectorum Graecarum exempla epigraphica potiora* (Leipzig, 1923)

SGDI—H. Collitz, *Sammlung der griechischen Dialekt-Inschriften* (Göttingen, 1884–1915)

² 1269b3, 1272a1, 1272b18.

³ Σωσικράτης δ' ἐν δευτέρῳ Κρητικῶν 'τὴν μὲν κοινὴν, φησί, δουλεῖαν οἱ Κρήτες καλοῦσι μνοῖαν, τὴν δὲ ἰδίαν ἀφαιμῶτας, τοὺς δὲ ὑπηκόους περίοικους.' (Athen. vi. 263 f.).

The MS reading is τοὺς δὲ περίοικους ὑπηκόους. The correction was made by Dobree

is said to agree with Sosicrates,⁴ but his statement on the subject has not been preserved. An important advance beyond the discussions based on this evidence was made by Oehler when, in his account of the subject in the article, "Kreta," in Pauly-Wissowa,⁵ he cited one important inscription. This was a move in the right direction, but it is possible to go much farther.

Also the literary sources call for a little additional consideration. Aristotle himself once uses *περίοικοι* about some of the inhabitants of Crete that have laws of their own and so cannot be serfs.⁶ This passage does not furnish conclusive proof for the existence of perioeci in Crete, but it does make it incorrect to use Aristotle as evidence against it and to oppose him to Sosicrates. Yet, even if it were a question of a choice between the evidence of the two, it would be safer to follow Sosicrates, who wrote a special account of Crete. In addition, there is the consideration that we should naturally expect Crete to contain a certain number of subject communities.⁷

The existence of perioeci in Crete receives complete confirmation from the inscriptions. The evidence is most full for Gortyn. In the first place, there is a fifth-century document which deals with sacrificial rites and seems to contain special regulations for *περίφοι*.⁸ It

(*Adversaria*, note *ad loc.*) and is accepted by Kaibel. It has in its favor the fact that Sosicrates is evidently giving the Cretan names for various classes of slaves and subjects. It is supported by a reference to *περίφοι* in an early inscription from Gortyn (*SGDI*, 4990), which will be discussed below.

⁴ Athen. vi. 264a.

⁵ XI, 1818 f. His statement concerning *ὑπόδοικοι* is important but the reference to *πάροικοι* misleading. The latter word does not occur in the inscription cited, nor, to my knowledge, in any Cretan inscriptions except *SGDI*, 5165 and 5170. In both these documents the *πάροικοι* in question are those of Teos and not of the Cretan communities issuing the decrees recorded.

⁶ *Pol.* 1271b30. Grote (*History of Greece*, II [1846], 484, n. 2) thinks that the word refers to "surrounding neighbor states." This interpretation is adopted by Congreve (note *ad loc.*). Jowett translates "Perioeci, or subject population of Crete." Newman gives no help. The passage is completely ignored in most statements concerning the perioeci of Crete. In my opinion the interpretation of Jowett is correct, except that the passage probably refers specifically to the perioeci of Lyttus rather than to those of Crete in general. Of course, the interpretation of Grote is not impossible, though it seems dictated by the belief that the rest of Aristotle's account leaves no room for perioeci in the ordinary meaning of the word.

⁷ This point is well developed in Schoemann-Lipsius, *Griechische Alterthümer*⁴ (Berlin, 1897-1902), I, 308.

⁸ *AJA*, I (1897), 162 ff. = *SGDI*, 4990.

is natural to consider this a reference to perioeci, but since the use of the word is so very rare,⁹ it is possible for those inclined to deny the existence of such a class to argue that it refers to serfs. This, however, is impossible in the case of the *ὑπόβοικοι* mentioned in a Hellenistic treaty between Gortyn and Latus.¹⁰ The term clearly refers to a class of subjects of Gortyn that can be sued by the citizens of Latus in the same manner as the Gortynians themselves. Thus the word cannot possibly refer to serfs,¹¹ and is best understood as referring to the perioeci of the state. It is scarcely necessary to say that *ὑπόβοικοι* (*ὑπόφοικοι*)¹² in Attic would be *ὑποῖκοι*. The identification of *ὑπόβοικοι* as perioeci strengthens the theory that also the *περίφοικοι* of the older inscription were perioeci. It is possible that the usage may have varied at different times, but it is also possible that both terms were used at the same time, depending on whether one wished to emphasize that the perioeci dwelt round about or that they were subjects.

The interpretation just given receives support from two inscriptions in which members of perioecic communities are referred to by the expression *οἱ ἐν* (name of community) *φοικίοντες*. First to be considered is an inscription which appears to be somewhat older than the great code. In this *Γόρτυς ἐπίπανσα ῥῶν ἐν Ἀφλῶνι φοικίοντες* grant privileges to a certain Dionysius.¹³ The privileges include exemption from taxation, the right to sue in the same courts as citizens,¹⁴ and a house and land in Aulon. The natural explanation

⁹ *ταῖς δὲ περιοικοῖς* is found in an Athenian inscription in Cretan dialect (*SGDI*, 5148 = *IG*, II², 1130), which probably contains a grant of *asylia* to Athens by some Cretan city. The phrase seems to occur in connection with the penalties to be imposed upon those that violate the immunity of Athens. Thus, in spite of the apparent impossibility of the phrase, it is likely that the decree contained special regulations applying to the perioeci.

¹⁰ *BCH*, XXVIII (1903), 219 ff. = *SGDI*, IV, p. 1032, No. 2 (the inscription cited by Oehler).

¹¹ Serfs, it seems, could start suit against their masters in case of certain offenses committed by the latter. Otherwise serfs and slaves were represented in court by their masters. See *Ins. iur.*, I, p. 425; Kohler-Ziebarth, pp. 51 f. It is unthinkable that citizens of another state ever should start suit against a serf rather than against his master.

¹² For the relation of *f* and *β* see Fraenkel, *SGDI*, IV, pp. 1062 f.; Buck, *Greek Dialects*², p. 44, sec. 51; Bechtel, *Die griechischen Dialekte*, II, 666.

¹³ *Mon. ant.*, III (1893), pp. 81 f., No. 149 = *SGDI*, 4983 = Schwyzler, 176.

¹⁴ *φα]ερταν δίκαν*. The restoration is made certain by the occurrence of the same term in *SGDI*, 4976. For the meaning contrast *καρτελαί δίκαι* in *SGDI*, 4985

of the joint grant is that Aulon was a perioecic community with its own local government and taxes.¹⁵ Thus it had to join with Gortyn in the grant if the rights of Dionysius were to be fully recognized not only by Gortyn but also by the local authorities.

With this inscription should be compared a third-century document in which Gortyn legislates for the island of Kaudos.¹⁶ The document is dated by the *kosmoi* of both communities and in this respect has the form of a treaty, but the contents show that the Gortynians have the upper hand and can dictate what terms they wish. They permit the residents of Kaudos to be free and autonomous and to have their own law courts for local suits on condition that they abide by the arrangements dictated by themselves and follow their leadership in war and peace. The conditions imposed include the payment of tithes on all products of land and sea, except that Kaudos is to keep for its own use the taxes on the flocks and on herbs or vegetables, as well as all revenues derived from their harbor. In addition, the island must supply Gortyn annually with a specified amount of salt and juniper berries. Gortynian officials¹⁷ stationed at Kaudos are to receive the salt. In short, the community is seen to have been completely under the control of Gortyn but to have had local self-government. It cer-

(Schwyzer, 177), a treaty between Gortyn and Rhittienia, in which the latter city clearly is not an equal but a subject-ally of Gortyn. In time of war its citizens can be fined by Gortynian officials for neglect of duty. If the fine imposed is excessive, the citizen of Rhittienia so wronged can bring suit in that court at Gortyn which is open to foreigners.

On *φαρρία δίκαια* and *κοινὰ δίκαια* in general see *Ins. jur.*, I, p. 431; Kohler-Ziebarth, p. 44; Lipsius, pp. 404 f.

An archaic legal inscription from Gortyn recently published by Margherita Guarducci (*Rivista del Reale Istituto d'Archeologia e Storia dell'Arte*, III [1932], 18-21, No. 3) deserves mention in this connection. The document contains several sections or clauses. Of the first of these nothing is preserved except *ἅς πολλῶν[αι] πωρινοῖς*. The reference seems to be to suits between citizens. Such suits would constitute a large part, but not all, of the suits that belonged under *φαρρία δίκαια*. These would include also suits involving perioeci, serfs, and slaves as well as regular citizens. This point will be discussed below. Similarly in the inscription cited in n. 16 the expression *αὐτοδίκους τὰ πρὸς ψευδῶν* is used in connection with suits between members of the local community.

¹⁵ Also Lipsius (p. 400) considers it a perioecic community.

¹⁶ Margherita Guarducci, "Ordinament dati da Gortina a Kaudos in una iscrizione inedita di Gortina," *Rivista di filologia*, LVIII (1930), 471-82. On the important financial regulations described see Gaetano De Sanctis, "Epimetron," *ibid.*, pp. 483-86.

¹⁷ *ὁ πρῶτος καὶ οἱ ὄψοι* (ll. 12-13).

tainly would have as good a claim to be called a polis as the perioecic communities of Sparta.

It may be possible to determine the nature of the document somewhat more precisely. The editor suggests that an inscription known for some time¹⁸ contains the end of the same document. In this second inscription only parts of a few lines are preserved, but these show clearly that they contained a formula of the type that provides for the future amendment of a treaty. This formula, however, is couched in words that imply that amendments would be concessions granted by superiors (the Gortynians) to inferiors (the inhabitants of Kaudos) as the result of persuasion.¹⁹ Thus the formula can be reconciled perfectly with the relation between the two cities described above. Nevertheless, I am inclined to think that the connection between the two inscriptions is somewhat different. The fragmentary inscription that has been known for some time probably is a part of an older treaty regulating the relations of Gortyn and Kaudos, while the newly discovered inscription contains an amendment of the kind provided for in the treaty. Though it may seem too full and detailed for an amendment, yet it may represent a rather complete redefinition of the status of Gortyn. In favor of this interpretation are two features of the document. In the first place, the new terms granted Kaudos by Gortyn are represented as a concession²⁰ of the kind envisaged in the clause of the treaty providing for amendments. In the second place, the officials of Gortyn stationed at Kaudos are spoken of as officials already functioning and not as officials to be sent out under a new arrangement. The epigraphical evidence seems to indicate that the two inscriptions are closely enough related to form parts of one larger inscription. Probably when the new amendment was adopted the older treaty was recopied and inscribed together with it. Thus one large inscription or two adjoining inscriptions would contain the entire law governing the relations between the two communities.

The status of Kaudos cannot be described briefly better than by classifying it as a perioecic community. It is possible that it was not reduced to this status before the third century. If so, the similarity

¹⁸ *SGDI*, 5022. (Reprinted with illustration in Guarducci's article.)

¹⁹ *πειθίσωντι*.

²⁰ *τάδε ἐπεχώρησαν οἱ Γορτύνιοι τοῖς τὰν Κα[υ]δὸν φοικίονσι* (ll. 4-5).

of οἱ ἐν Καυδοῖ φοικίοντες²¹ and οἱ τὰν Καῦδον φοικίοντες²² to οἱ ἐν Ἀφλῶνι φοικίοντες of the fifth-century inscription is all the more striking. Though the examples of the Amyklaioi and Kransopeioi²³ show that this form of designation for groups of perioeci was not universal even at Gortyn, nevertheless it tends to confirm the interpretation of περίφοικοι and ὑπόβοικοι already given.

In addition to Aulon and Kaudos the following communities—Amyklaion, Leben, Bene, Boibe, and Rhytion—can be identified, with more or less certainty, as perioecic communities subject to Gortyn. Amyklaion is mentioned in a badly mutilated inscription of which just enough is preserved to show that it contained regulations governing the community.²⁴ Corporate responsibility and hence some form of local self-government is implied. Leben, the port of Gortyn, does not seem ever to have been independent,²⁵ and so probably was a perioecic community. The other towns listed are mentioned in the literary sources as dependencies of Gortyn.²⁶ After the destruction of Phaestus, Matalon, the port of the latter city, seems to have been added.²⁷

It is necessary to include in the discussion of perioecic communities also the Kransopeioi, who are mentioned in one of the most mysterious of all Cretan inscriptions.²⁸ This much is fairly clear: Gortyn and Phaestus both exercise some control over the Kransopeioi. If the latter violate their treaty or treaties,²⁹ that is, the treaties that regulate their relations to Gortyn and Phaestus, they are to be fined two

²¹ *SGDI*, 5022.3 and *Rivista di filologia*, LVIII, p. 472, ll. 8 f.

²² *Ibid.*, ll. 4 f. and 14. ²³ Ἀμυκλαῖοι (*SGDI*, 5025), Κρανσοπείοι (*SGDI*, 5019).

²⁴ *SGDI*, 5025. Amyklaion is classed as a πόλις by Steph. Byz., s.v. Ἀμύκλαι.

²⁵ *SGDI*, Vol. III, Part 2, p. 343, introductory note to the inscriptions of Leben.

²⁶ For Bene see Steph. Byz., s.v. Βήνη; cf. Suidas, s.v. Πιανός. For Boibe, Steph. Byz., s.v. Βοῖβη. For Rhytion, Strabo, x. 479. The latter community appears as a village in an inscription from the time of Trajan (*Rivista del Reale Istituto d'Archeologia e Storia dell'Arte*, II [1931], 64, l. 8).

²⁷ Strabo, *ibid.* Cf. Creutzburg, s.v. "Matalia" in Pauly-Wissowa, XIV, 2179.

²⁸ *AJA*, I (1897), 198 ff. (ed. Halbherr) = *SGDI*, 5019 (ed. Blass). Both editors consider it a copy of an earlier boustrophedon inscription and are of the opinion that the stonecutter who copied it committed a great number of mistakes.

²⁹ The inscription reads δκα δίκαια μὴ συνθίωραται, which literally means "when the compact which they make is not just" (Halbherr). This seems to be an incorrect or loose statement for violation of treaties. Cf. Halbherr, *AJA*, I (1897), 200.

thousand staters. Suit can be brought in either city. The Kransopeioi clearly constitute a perioecic community with a local government and with their relations to their masters defined by treaty.³⁰

How is the joint control of Gortyn and Phaestus to be explained? On this point the document is not very helpful. It is dated by one college of *kosmoi* as if it were a decree of one city. On the other hand, Gortyn and Phaestus later are both referred to as communities with their own courts. Of the editors, Halbherr interpreted it as a joint decree of the two cities which at the time were merged in one state. Blass considered it a treaty. In my opinion, the latter interpretation is correct. The clause which permits suits to be brought on the same terms either at Gortyn or at Phaestus cannot well be reconciled with the merging of the two cities into one. In the second place, though it is possible to imagine that some time in the checkered history of Crete the two cities were thus combined, it is difficult to believe that such unity lasted long enough to make it necessary to recopy any decree issued at the time.³¹ Thus it seems easier to believe that Gortyn and Phaestus at some time acquired a joint control over the Kransopeioi. This arrangement may have survived many vicissitudes, including even hostilities between Gortyn and Phaestus.³² This long duration and the well-known character of the general arrangements would help to explain the brevity and informality, and thus also some of the irregularities, of the document.³³ When the old treaty was recopied, probably the only two points of interest were the amount of the fine, and the fact that the individual that started the suit would receive half of the fine imposed.

If the interpretation just given is accepted, it is necessary to believe that suits were brought at Gortyn for delinquency on the part of the

³⁰ Also Halbherr (*ibid.*) considers them perioeci.

³¹ Cf. n. 28.

³² The statement of Aristotle (*Pol.* 1269a39 ff.) that Cretan communities, no matter how hostile to each other, never supported revolts, no doubt, would apply also here.

³³ Among these irregularities is the dating by only one college of *kosmoi*. In the Gortynian copy the college listed must be that of Gortyn. Even more striking is the informal reference to the two cities as *ταῖς πόλεσι ἀποτέρας*, *τ(ᾷ) τ' ἄνω καὶ τᾷ κάτω*, if this is correct. Such an expression, however, would be so unusual that it probably is better to believe with Blass that it contains a serious omission and probably should be restored somewhat as follows: *τὰς ἑαδὲ (Γορτυνίαις καὶ Φαιστίναις) ταῖς πόλεσι ἀποτέρας*. The latter reading, in turn, involves difficulties and makes it necessary to suppose that Phaestus at the time was divided into two communities.

Kransopeioi in their obligations toward Gortyn; and at Phaestus, for delinquency toward Phaestus. The *τίτας* (l. 7) to whom the fine is to be paid must be an official of the city concerned, and *τὰν π]όλιν* (l. 11), which is to keep one-half of the fine, must be the city in which suit is brought. In any case, the *τίτας* is not an official representing the Kransopeioi,³⁴ but a judicial and financial official concerned with the collection of fines.³⁵

If perioeci were as common at Gortyn as the foregoing presentation indicates, it would be surprising if no trace of them could be found in the large code of Gortyn.³⁶ They are not referred to there as perioeci but are, without doubt, to be included among the *ἀπέρταιροι*.³⁷ In this connection it is well to recall that the Hellenistic treaty between Gortyn and Latus discussed above shows that the perioeci (*ὑπόβουκοι*) could be sued in the same courts as the citizens. This means that they constituted a group with lesser rights but subject to the same jurisdiction as the citizens. The *ἀπέρταιροι* are precisely such a class.

The information concerning this group is derived from the second section of the law in which fines for rape and adultery are given.³⁸ Here they appear as a class of free men decidedly above the serfs but without the full rights of citizens. At Gortyn there was a clear distinction between lawsuits involving only citizens and regular members of the community (*φαστία δικά*) and suits involving foreigners (*κσενεία δικά*).³⁹ Certainly not only the citizens themselves but also slaves and serfs must have come under the jurisdiction of the domestic courts, and the same must be true of the *ἀπέρταιροι*, who appear as a class intermediate between the citizens and the serfs. This, obviously, is where the perioeci belong.

The *ἀπέρταιροι* certainly did not include metics and freedmen, as has been asserted.⁴⁰ The metics come under the jurisdiction of the

³⁴ Halbherr, *loc. cit.*

³⁵ Lipsius, p. 406; Busolt, *Griechische Staatskunde*, p. 748.

³⁶ *SGDI*, 4991 = Schwyzer, 179. These editions give references to older editions and literature.

³⁷ For the same view see Halbherr, *AJA*, I (1897), 165; Eduard Meyer, *Geschichte des Alterthums*, II (1893), 275.

³⁸ These fines are conveniently tabulated in *Ins. iur.*, I, p. 419.

³⁹ See n. 14.

⁴⁰ *Ins. iur.*, I, pp. 420 ff.; Busolt, *op. cit.*, p. 746.

special courts open to foreigners (κσενεία δίκαι)⁴¹ and were subject to the jurisdiction of the κσένιος κόσμος, frequently mentioned in inscriptions.⁴² One of these shows that also freedmen were classed with metics.⁴³

If the perioeci were ἀπέταιροι, why are they not referred to as περίφοικοι, and why is another term used? The answer must be that ἀπέταιροι was a broader term and included other classes of inferiors. The word itself seems to mean those who were not members of the *hetairiai*. This immediately suggests men excluded for failure to contribute,⁴⁴ but there is reason to believe that the state supported the *syssitia* at least in part so that if such a class existed, it cannot have been numerous.⁴⁵ But there may well have been other reasons for exclusion such as physical unfitness for military service, cowardice, and other offenses.⁴⁶ All those excluded for such reasons, as well as the perioeci, apparently, are included under ἀπέταιροι.

The information for other parts of Crete is less full. A second-century inscription from Athens dealing with Cretan affairs contains an obscure reference to perioeci,⁴⁷ but throws no further light on the subject. It might also be possible by the aid of the literary sources to construct conjectural lists of perioecic communities subject to other cities.⁴⁸ Thus, in the case of Cnossus, not only its port, Heracleium,⁴⁹ but also the communities in dispute between Cnossus and its rivals during the second century,⁵⁰ probably were perioecic towns. Such

⁴¹ *Ins. jur.*, I, p. 421; Kohler-Ziebarth, p. 44; Busolt, *op. cit.*, p. 487, n. 2.

⁴² *SGDI*, 4981, 4982, 4984, 4996, 5003, and 4991. xi. 16-17 (the large code). Margherita Guarducci has recently re-edited 4984 and published it together with a new, closely related inscription (*Rivista del Reale Istituto d'Archeologia e Storia dell'Arte*, III [1932], pp. 21-25, No. 4).

⁴³ *SGDI*, 4982 = Schwyzler, 175.

⁴⁴ Kharstedt (*Griechisches Staatsrecht*, I, 350) equates ἀπέταιροι and ὑπομειλως.

⁴⁵ Busolt, *op. cit.*, p. 755.

⁴⁶ One class that we should expect to find included among the ἀπέταιροι seems to have been grouped with foreigners, namely, those that had been adopted by citizens but later rejected. The compensation paid them at the time of their rejection was handled by ὁ μνύμων ὁ τῷ κσενίῳ (*SGDI*, 4991. xi. 16).

⁴⁷ *SGDI*, 5148 = IG, II², 1130; cf. n. 9.

⁴⁸ Cf. Schoemann-Lipsius, *Griechische Alterthümer*⁴, I, 304, n. 5, for a brief list.

⁴⁹ Büchner in Pauly-Wissowa, VIII, 499, s.v. *Herakleion*, No. 1.

⁵⁰ Pol. xxii. 15.

lists, however, would add little to our knowledge of the status of the perioeci. Hence, only one more document will be considered. This is a decree of Praesus imposing certain duties on the Stalitai and referring to services required also from the Setaëtai.⁵¹ The former seem to have been the inhabitants of a port on the south shore of the island; the latter, the inhabitants of a port on the north shore. Both were subject to Praesus. Their status was somewhat similar to that of the inhabitants of Kaudos discussed above. In this connection it may be well to note that it often may have been a short step from a treaty of alliance with a stronger state to the reduction to the status of perioeci. In the case of Kaudos, the documents have the verbiage usually associated with alliances, including even freedom and autonomy, and yet the subjection is so complete that it would be misleading to describe the people of Kaudos as allies of the Gortynians. In the case of the Stalitai there is nothing to mislead the reader in this respect. The document, if a comparison with Roman institutions is permissible, rather has the form of a decree regulating the future status of *dediti*. They were permitted to retain their land and city and to collect harbor dues and taxes on purple fisheries and other fisheries, but must give half of the income to Praesus. A reference in the document to the earlier arrangements concerning the taxes on fisheries suggests that their subjection was not entirely new. In addition to the payment of taxes, the Stalitai were compelled to serve Praesus by undertaking voyages at sea in her behalf. Similar services were rendered also by the Setaëtai. These services were supervised by the *kosmoi* of Praesus. Thus it cannot be incorrect to describe the Stalitai and Setaëtai as perioecic communities under the control of Praesus.

To summarize, enough evidence has been found to make it clear that at least several of the Cretan cities exercised control over groups of perioecic communities, though no single city can have controlled as many of these as Sparta did. In the inscriptions of Gortyn the perioeci are referred to as *περίφοικοι* and *ὑπόβοικοι*. In the code they are included among the *ἀπέραιοι*, and as such in their suits with the regular citizens of Gortyn are subject to the jurisdiction of the same courts as the latter. The treaty between Gortyn and Latus also places them alongside of citizens as far as suits brought at Gortyn by the

⁵¹ *SGDI*, 5120 = Dittenberger, *Sylloge*³, 524.

citizens of Latus are concerned. These suits, both when citizens and when perioeci were involved, must have been brought before the special court for foreigners which was under the jurisdiction of the *κσένιος κόςμος*, the *praetor peregrinus* of Gortyn. This subjection to the courts of Gortyn does not exclude local courts for suits between members of the same perioecic communities. Such courts are referred to in the case of Kaudos and are implied wherever there is evidence for local self-government. Such government, in turn, is mentioned in so many words for Kaudos (dating by *kosmoi* of Kaudos) and is implied through references to corporate responsibility or action for the Kransopeioi, the Stalitai, the Setaëtai, Amyklaion, and Aulon. The *perioeci* were called upon to pay taxes and contributions to the state that controlled them. The inscriptions cited supply direct evidence for this only for Hellenistic times and only for Kaudos and the Stalitai, but it is safe to conclude that the practice was general also in the earlier period. States do not conquer their neighbors just for the pleasure of calling them names. We get less help on the question whether perioeci were called upon for military service. The people of Kaudos certainly could be called upon, and the same may have been true of other perioeci. To what extent they actually were used is another question. The services required from the Stalitai and Setaëtai by Praesus seem to have amounted to the running of dispatch boats rather than service as *socii navales*. The extant documents regulating perioecic communities take the form either of treaties or of decrees issued by the controlling state. Probably the first document always was a treaty, at least when the relation was entered into after the recording of treaties began. There is a reference to treaties in connection with the Kransopeioi; the documents regulating Kaudos take the form of a treaty and an amendment to that treaty; and the decree of Praesus regulating the Stalitai also contains a statement of the obligations of Praesus to the latter community and is not inconsistent with the existence of an earlier treaty. Such treaties seem to have gone back as far as to the fifth century. The document dealing with the Kransopeioi appears to be a copy of an older inscription, and the decree granting privileges to Dionysius at Gortyn and Aulon, a document which appears to be older than the great code, implies that the status of Aulon is well known and clearly defined and thus makes it

likely that a treaty or some other document already existed. The earliest agreements between controlling states probably were oral agreements ratified by oath—oral treaties, so to speak. At least at Gortyn it is likely that the relations to perioecic communities were regularized in recorded documents in the same period as the rest of the law of the state was codified. Officials of the controlling state appointed to supervise perioecic communities are mentioned for Kaudos. It is impossible to say whether such officials were general and whether they existed also in the earlier period.⁵²

NOTE.—A document not discussed above that deserves to be mentioned is an archaic inscription from Eltyna first published by Xanthoudides ('Αρχ. Έφ., 1920, 76–80. Cf. *SEG*, II, 509). A full discussion and a revised text is given by Comparetti (*Accademia dei Lincei, Serie sesta, Memorie della classe di scienze morali, storiche e filologiche*, II [1927], 245–54). Comparetti argues convincingly that the document contains laws applying both to the citizens of Eltyna and to the Kerines, a non-Greek people described as "coloni o perieci, . . . gente libera e non schiava, ma soggetta alle leggi della città" (pp. 248 f.). Their exact status is hard to determine. Apparently they are not serfs. Yet the controlling city legislates even for strife between individual Kerines. This implies that such disputes are subject to the jurisdiction of the courts of Eltyna and that the Kerines have no courts of their own. In other words, though their status resembles that of perioeci, they probably lack local self-government and so are neither serfs nor normal perioeci. In my opinion Comparetti is mistaken when he holds that they were regarded as foreigners and were subject to the *κσένιος κόσμος*. They probably are rather to be regarded as *cives sine suffragio*.

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⁵² In connection with Amyklaion there is a reference to the *kosmoi* (of Gortyn?) in the plural (*SGDI*, 5025). This rather implies the joint supervision of the perioecic community by the entire college of *kosmoi* of the controlling state. This, to be sure, does not necessarily exclude the appointment of special officials for the community. The inscription is dated in the third or second century and so is approximately contemporaneous with the inscription which supplies evidence for the existence of special Gortynian officials at Kaudos.

Blass has concluded that Praesus assigned a special official to the control of the Stali-tai. Cf. his note on *SGDI*, 5120 A. 11. This would mean that there was evidence in one and the same document both for a special official and for the general supervision of the *kosmoi*. Unfortunately the passage on which he has based his conclusion is in part illegible and has never been emended satisfactorily. A glance at the plate given in *Mon. Ant.*, VI, 299 suggests, if anything, that some of the accepted readings are uncertain.

ADMINISTRATIVE COMMISSIONS AND THE
OFFICIAL CAREER, 218-167 B.C.

EVAN T. SAGE AND ADALAIDE J. WEGNER

THE period 218-167 B.C. offers many attractions to the student of Roman administration, as well as many problems for solution: the narrative of Livy is virtually complete, so that we have unusually full information upon details which are not always recorded in the *Fasti*, and for such data Livy is sufficiently reliable; until 180, when the *lex Villia annalis* was passed, there was no *cursus honorum* rigidly prescribed by law, and the period is long enough to permit the comparison of procedures before and after 180; on the other hand, the quasi-revolutionary methods of the Gracchan age had not been introduced; the tradition of public service was still strong. We have, then, an opportunity to see what administrative procedure actually was at a time when it was not strictly regulated by law—to see, in other words, what individuals and what types of individuals the Romans honored with office at a time when they still had considerable freedom of choice. Furthermore, the period is not entirely homogeneous; during the Second Punic War technical eligibility requirements were of less concern than generalship, as was officially recognized, probably in 217.¹ As a result, one consul and all four praetors of 216 were ex-consuls. Fabius Maximus could appeal to this principle to keep his kinsman T. Otacilius from the consulship,² and the young Scipio was encouraged by it to assert that age was unimportant in comparison with the popular will.³ The full development of this theory, however, is seen only later, when the senate decided for the benefit of Flamininus that anyone was eligible who was not clearly ineligible.⁴ But by this time the strain had been somewhat relaxed, and the general tendency of the later years was to observe the conventions.

Administrative commissions had been known from early times, but

¹ Livy xxvii. 6. 7.

² *Ibid.* xxiv. 7-9.

³ *Ibid.* xxv. 2. 7.

⁴ *Ibid.* xxxii. 7. 11; this is the purport, though not the exact language of the announcement.

only in this period do they become common enough to permit a close examination. The handbooks are somewhat vague regarding them. Mommsen, for example, treats them briefly, mainly from the theoretical standpoint, and with generally negative results.⁵ Kornemann is briefer and misleading in certain respects.⁶ We shall confine ourselves practically to two types of commissions, those described in the sources generally as *agris adsignandis* and *coloniis deducendis*; and from our standpoint there is no distinction. With two exceptions these boards, in this period, were triumvirates. Our interest is less in their competence, functions, and legal status than in their personnel and in their place in the administrative scheme. Our purposes are to assemble in convenient form the evidence regarding them and to elicit from the records of the members such facts as seem significant for administrative history.

The tasks assigned these commissions were, it appears, magisterial functions. Even within this period the imperium of one praetor was prolonged to enable him to distribute lands to veterans.⁷ The infrequency of such cases seems to show that the commission was the preferred method, and as far back as 467 we find Livy speaking of them and occasionally naming the members.⁸ At no time were there fixed eligibility requirements: "in der That," says Mommsen,⁹ "werden dieselben ohne jeden Unterschied sowohl von Consularen wie von politischen Anfaengern verwaltet"; and Kornemann¹⁰ asserts that "angesehene Maenner, meist Consulare" were chosen. The accuracy of these statements will be tested later. It is clear from the evidence that eligibility was not conditioned by age or official status, that membership was not incompatible with the holding of other offices, and that the people was able to choose freely whom it willed. Whether this freedom was one reason for the preference for commissions is not known; perhaps they were intended merely to relieve magistrates of wearisome duties, particularly in cases which would require absences from Rome for periods longer than a year. Unfortunately, there is no record for any competition for places; Livy records no contests except for the consulship and the censorship.

⁵ *St. R.*, II², 624-39.

⁶ In *P.-W.*, s.v. "Colonia," esp. col. 571.

⁷ Livy xxxii. 1. 6.

⁸ *E.g.*, iii. 1. 6.

⁹ *P.* 630.

¹⁰ *Loc. cit.*

We shall now give a list of the commissions of these two kinds which Livy mentions as created within the period chosen. We cannot be sure that the list is absolutely complete or absolutely accurate. There are allusions scattered throughout the literature to other individuals, not named by Livy, who served on such boards; but nowhere is there a complete statement of the personnel, the purpose, or the date. Despite the untiring efforts of editors, there is all too frequently an element of uncertainty as to the proper names in Livy. While there is no systematic account with which to check Livy, his list includes all the colonies known to have been established within this period; and we feel reasonably sure as to the completeness of the list given. (The useful list of colonies in Velleius¹¹ says nothing about the commissions which founded them.) After the name of each commissioner we have indicated his status at the time of his membership: the symbol (?) means that we have no further information; the symbol (—) that the individual's official career began at this point. We have added such comments as seem to be necessary or useful.

1. 219 or 218 B.C.: IIIviri agro adsignando (at Cremona and Placentia; such titles are not always exact quotations) (Livy xxi. 25. 2-5)

C. Lutatius Catulus (cos. 220) and two of the following: C. Servilius Geminus (praet. ca. 220; in xxx. 19. 6 Livy says that Lutatius and Servilius were captured and recovered by the latter's son); M. Annius (?); M'. Acilius (?); C. Herennius (?); P. Cornelius Scipio Asina (cos. 221); C. Papirius Maso (cos. 231). Asconius (*in Pison.*, p. 3) gives as the members Asina, Papirius, and Cn. Cornelius Scipio (?). Polybius (iii. 40. 9) says that the members were Lutatius and two former praetors. If he is right, Asina and Papirius are excluded, while Servilius has a good claim. The source which mentioned him probably included Annius as the third member; but certainty as to Lutatius alone seems possible, and only he will be counted in the later survey.

This commission has gone to Gaul before the outbreak of the war, and similar boards were both unnecessary and impossible during the conflict.

2. 201 B.C.: Xviri agro metiendo diuidendoque (Livy xxxi. 4. 2-3) P. Servilius (?); Q. Caecilius Metellus (cos. 206); C. Servilius Geminus (cos. 203); M. Servilius Geminus (cos. 202); L. Hostilius Cato (praet. 207); A. Hostilius Cato (praet. 207); P. Villius Tappulus (praet. 203); M. Fulvius Flaccus (?); P. Aelius Paetus (cos. 201); T. Quinctius Flaminius (—; that Flaminius was quaestor in 199 seems a fair inference from Livy's phrase *consulatum ex quaestura petere* in xxxii. 7. 9).

¹¹ i. 14-15.

The commission included one consul, three consulares, three praetorii, and two whose careers are unknown but who belonged to distinguished families—a notable body, as Muenzer (*Adelsparteien und Adelsfamilien* [Stuttgart, 1920], p. 146) and others have seen. The position of the unknown P. Servilius at the head of the list is peculiar, but the principle underlying the arrangement of the names on these commissions cannot be detected. With this board the other decemvirate, No. 25, may be compared.

3. 200 B.C.: IIIviri ad supplendum Venusinis colonorum numerum (Livy xxxi. 49. 6)

C. Terentius Varro (cos. 216); T. Quinctius Flaminius (—); P. Cornelius Scipio Nasica (—).

Plutarch (*Flamin.* 1) reports that Flaminius performed similar services for the colonies of Narnia and Cosa, but gives no further details. The next entry records a commission not including Flaminius which enlarged Narnia, and Livy says that the request from Cosa was refused.

4. 199 B.C.: IIIviri ad augendum Narniensibus colonorum numerum (Livy xxxii. 2. 6–7)

P. Aelius Paetus (cos. 201); Sex. Aelius Paetus (aed. 200); Cn. Cornelius Lentulus (cos. 201).

5. 197 B.C.: IIIviri coloniis Vulturum Linternum Puteolos Salernum Buxentum deducendis, in triennium creati (Livy xxxii. 29. 3–4)

M. Servilius Geminus (cos. 202); Q. Minucius Thermus (aed. 198); Ti. Sempronius Longus (aed. 198).

Cf. No. (6) below.

- (6). 194 B.C.: Establishment of colonies authorized under No. 5 (Livy xxxiv. 45. 1–2)

Ti. Sempronius Longus (cos. 194); M. Servilius Geminus (cos. 202); Q. Minucius Thermus (praet. 196).

Cf. No. 5. The change in the order of names may not be significant, but the changes in rank should be noted.

7. 194 B.C.: Establishment of colony at Sipontum, not previously mentioned (Livy xxxiv. 45. 3)

D. Iunius Brutus (?); M. Baebius Tamphilus (trib. 194); M. Helvius (praet. 197).

8. 194 B.C.: Establishment of colony at Tempsa, not previously mentioned (Livy xxxiv. 45. 3–5)

L. Cornelius Merula (praet. 198); Q. ** (?); C. Saloniis (?).

The name of the second member is hopelessly corrupt in the MSS.

9. 194 B.C.: Establishment of colony at Crotona, not previously mentioned (Livy xxxiv. 45. 3–5)

Cn. Octavius (praet. 206); L. Aemilius Paulus (—); C. Laetorius (praet. 210).

10. 194 B.C.: IIIviri coloniae in Bruttios deducendae, in triennium creati (Livy xxxiv. 53. 1-2)
 Q. Naevius (?); M. Minucius Rufus (praet. 197); M. Furius Crassipes (—).
 Cf. No. (13) below.
11. 194 B.C.: IIIviri coloniae in Thurinum agrum deducendae, in triennium creati (Livy xxxiv. 53. 1-2)
 A. Manlius Volso (—); Q. Aelius Tubero (trib. 194); L. Apustius Fullo (praet. 196).
 The commissions created under Nos. 10 and 11 were authorized by legislation proposed by Tubero, who became a member of one of them. The problem thus raised we hope to discuss at another time. Cf. No. (12) below.
- (12). 193 B.C.: Establishment of colony authorized under 11 (Livy xxxv. 9. 7)
 A. Manlius Volso (—); L. Apustius Fullo (praet. 196); Q. Aelius Tubero (trib. 194).
 Livy here locates the colony in *Frentinum agrum*.
- (13). 192 B.C.: Establishment of colony authorized under 10 (Livy xxxv. 40. 5-6)
 Q. Naevius (?); M. Minucius Rufus (praet. 197); M. Furius Crassipes (—).
 Livy here locates the colony at Vibo Valentia.
14. 190 B.C.: IIIviri ad colonos Placentiam et Cremonam deducendos (Livy xxxvii. 46. 9-11)
 M. Atilius Serranus (—); L. Valerius P. f. Flaccus (cos. 195); L. Valerius C. f. Tappo (praet. 193).
15. 189 B.C.: Establishment of colony at Bononia, not previously mentioned (Livy xxxvii. 57. 7)
 L. Valerius Flaccus (cos. 195); M. Atilius Serranus (—); L. Valerius Tappo (praet. 193).
 This is the same commission as that named under No. 14, but their task was different and their mission may have been modified or enlarged.
16. 186 B.C.: IIIviri ad colonos Sipontum et Buxentum deducendos (Livy xxxix. 23. 3-4)
 L. Scribonius Libo (praet. 192); M. Tuccius (praet. 190); Cn. Baebius Tamphilus (praet. 199).
17. 184 B.C.: IIIviri coloniis Potentiam et Pisaurum deducendis (Livy xxxix. 44. 10)
 Q. Fabius Labeo (praet. 189); M. Fulvius Flaccus (?; it is uncertain whether he is the same as the member of No. 2); Q. Fulvius Nobilior (—; his identity is not quite certain).

18. 183 B.C.: *IIIviri coloniae Aquileiam deducendae* (Livy xxxix. 55. 5-6)
P. Cornelius Scipio Nasica (cos. 191); C. Flaminius (cos. 187); L. Manlius Acidinus Fulvianus (praet. 188).
Cf. No. (22) below.
19. 183 B.C.: Establishment of colonies at Mutina and Parma, not previously mentioned (Livy xxxix. 55. 7-8)
M. Aemilius Lepidus (cos. 187); T. Aebutius Carus (Parrus in Livy) (—); L. Quinctius Crispinus (praet. 186).
20. 183 B.C.: Establishment of colony at Saturnia, not previously mentioned (Livy xxxix. 55. 9)
Q. Fabius Labeo (cos. 183); C. Afranius Stellio (praet. 185); Ti. Sempronius Gracchus (trib. 184).
21. 181 B.C.: Establishment of colony at Gravisca, not previously mentioned (Livy xl. 29. 1-2)
C. Calpurnius Piso (praet. 186); P. Claudius Pulcher (cos. 184); C. Terentius Istra (praet. 182).
- (22). 181 B.C.: Establishment of colony authorized under 18 (Livy xl. 34. 2-3)
P. Cornelius Scipio Nasica (cos. 191); C. Flaminius (cos. 187); L. Manlius Acidinus Fulvianus (praet. 188).
23. 180 B.C.: *IIIviri coloniae in Pisanos deducendae* (Livy xl. 43. 1-2)
Q. Fabius Buteo (praet. 181); M. Popillius Laenas (—); P. Popillius Laenas (?).
The establishment of a colony at Luna is recorded under No. 24, but the names of the triumvirs are different. Velleius (i. 15) places Luca here.
24. 176 B.C.: Establishment of colony at Luna, not previously mentioned unless under 23 (Livy xli. 13. 4-5)
P. Aelius (?; P. Aelius Tubero was praetor in 177 and P. Aelius Ligus was consul in 172, but it is not certain that either is meant here; see below); M. Aemilius Lepidus (the name is a conjecture for legibus of V) (cos. 187); Cn. Sicinius (praet. 183).
25. 173 B.C.: *Xviri agris Ligustinis et Gallicis uiritim diuidendis* (Livy xlii. 4. 3-4)
M. Aemilius Lepidus (cos. II, 175); C. Cassius Longinus (praet. 174); T. Aebutius Carus (praet. 178); C. Tremellius (?); P. Cornelius Cethegus (cos. 181); Q. Apuleius (?); L. Apuleius Saturninus (—); M. Caecilius (?); C. Salonijs (?); C. Munatius (?).

As compared with the decemvirate of 201 this board seems weak, consisting of two consulares, two praetorii, one whose political career was just beginning, and five of whom nothing else is known. We must remember, however, that if the latter part of the Fifth Decade were preserved, we might have fuller information.

26. 171 B.C.: Authorization of colony at Carteia (Livy xliii. 3. 3-4)
No triumvirs are named.
27. 169 B.C.: IIIviri ad augendum Aquiliensibus colonorum numerum (Livy xliii. 17. 1)
T. Annius Luscus (—); P. Decius Subulo (?); M. Cornelius Cethegus (—).¹²

These commissions give us ninety memberships, held by sixty-five different persons. Some of these were members of two or more boards, and some were advanced in rank during or between terms. They may be classified on the basis of their rank (in the following tables consules and consulares, etc., are not distinguished; the symbols "(—)" and "(?)" are used as above). The first column of figures gives the number of members; the second, the number of memberships:

Consulares	12	23
Praetorii	22	28
Aedilicii	3	3
Tribunicii	3	4
—	12	16
?	13	16
Totals	65	90

These figures become more significant if they are combined in larger groups, viz., seniores, consisting of consulares and praetorii; iuniores, consisting of aedilicii, tribunicii, and political novices; with the remainder belonging to the group marked "?" above:

Seniores	34	51
Iuniores	18	23
Totals	52	74

In other words, four-fifths of the members of these commissions belonged to the office-holding class. Since about half of the non-office-holding contingent fall in the last ten years of the period, it is quite possible that were the record more complete this group would be considerably smaller: T. Annius Luscus, for example, did not attain

¹² We might add a quinquevirate appointed by the senate in 168 to settle a boundary dispute between Pisa and Luna (Livy xlv. 13. 10-11), consisting of Q. Fabius Buteo (praet. 181), P. Cornelius Blasio (—), T. Sempronius Musca (?), L. Naevius Balbus (?), and C. Apuleius Saturninus (?). Cicero (*De off.* i. 33) mentions a similar dispute between Naples and Nola in which Q. Fabius Labeo participated, but gives no further details. We have not considered these persons in the following computations.

to the consulship until 153. As to the rest we can only guess. Some of them may have died or become physically incapacitated; some of them may have offended powerful politicians or the assembly; some may have lost interest in politics after one experience; some may have proved incompetent. The eighteen *iuniores* deserve more detailed consideration. The three *aedilicii* reached the consulship, Longus being both praetor and consul while a member of the triumvirate, while Thermus was praetor in 196 and consul in 193. Of the tribunicii, Baebius and Tubero held the tribunate and the triumvirate simultaneously, and Tubero held no other office. Baebius was praetor in 192 and consul in 181; Gracchus was aedile in 182, praetor in 180, consul in 177 and 163. The table shows twelve novices; eight of these held the consulship, the rest the praetorship. Summing up, we find among the eighteen *iuniores* thirteen of consular and four of praetorian rank. It is obvious that to hold a commissionership of this kind was not to enter a political blind alley. We shall consider a little later whether it may have been just the opposite. A few careers are of interest as showing how little interference a triumvirate could offer. Sex. Aelius Paetus was aedile in 200, IIIvir in 199, and consul in 198. Q. Minucius Thermus was aedile in 198; IIIvir, 197-194; praetor, 196; consul, 193. Ti. Sempronius Longus was aedile in 198; IIIvir, 197-194; praetor, 196; consul, 194. T. Quinctius Flaminius, Xvir in 201; IIIvir in 200; quaestor, 199; leaped over the aedileship and praetorship and became consul in 198.

The second century appears to have been more insistent than the third upon the holding of offices in a sequence separated by decent intervals even before the passing of the *lex Villia*. The praetorship might be held immediately after the aedileship, but the consulship was generally separated from the praetorship by at least two years. The names of fifty aediles for the period 218-201 are known; of these, nineteen reached the consulship after an interval averaging slightly less than five years. Of course, during this period advancement was likely to be rapid if it took place at all. We have not made the corresponding calculation for all the known aediles of the period 200-167, but twelve triumvirs progressed from the aedileship to the consulship in periods averaging slightly less than seven years. In so small a number of cases the eighteen-year interval in the case of Cn. Baebius

Tamphilus increases the average disproportionately. We must remember, too, that conditions were more nearly normal after the Second Punic War, that the mortality rate among commanders dropped sharply after 201, and that the number of praetors was increased from four to six, even though this number dropped again after 180 to an average of five. The lengthening of the official career was then inevitable, and the effect of membership in a triumvirate is hardly appreciable. So far as the individuals considered in this study are concerned, we can see no change in the length of the career after 180; but the larger number of cases marked (?) toward the end may be partially responsible. The records of these men are complete enough to indicate that most of them, at least, had not begun their political careers before their election to a triumvirate. If these thirteen individuals are added to the eighteen novices, the sum is only slightly less than the number of seniores (when memberships are counted, the seniores have a clear majority).

This leads us to look at the distribution of the younger men through the triumvirates. Reference to the list above will show that only Nos. 1 (if Polybius may be trusted), (6), 16, 18, 21, (22), and possibly 24 were composed entirely of seniores, although two members of No. (6) acquired that status while they were members of the board. The small number of boards consisting entirely of seniores suggests that the normal procedure was to include at least one iunior. This may assist us to identify P. Aelius of No. 24; the apparent design of putting a iunior on every board suggests that he is neither Tubero or Ligus but some otherwise unknown younger man. The list shows also that every triumvirate, with the possible exception of No. 27, had at least one member of praetorian or consular rank. In the case of No. 27, Cethegus, who was consul in 160, may have been praetorius in 167 (an interval of seven years is not unprecedented). It is even possible that Luscus had been a praetor at that time, although he reached the consulship only in 153. We may therefore accept Kornemann's *angesehene Maenner* with more assurance than his *meist Consulare*, but Mommsen's vagueness is in this instance more accurate as a description of the membership of these commissions.

Two possible reasons may be suggested for this apparent tendency to put at least one younger man on each triumvirate. The first is that

the governing class in Rome may have used these commissions deliberately as devices for trying out young aspirants to political honors, in situations where they could work under supervision of experienced men and reveal whatever capacities they possessed. We are handicapped at this point by the lack of information as to contests for places, but we might be justified in wondering whether they did not leave a post or two on each commission open to any candidate. If this were true, we should be inclined to say that the managers of these elections did well. The second reason is more human: they may have been quite willing to have on every board some young and ambitious man who would be glad to take the work as his share and leave the glory to his elders. We admit at once that this was not always the result; Thermus and Longus, for instance, had little time for the long and arduous duties connected with the establishment of the five colonies assigned to their triumvirate. But whatever the reason, the fact is certain that younger men appear on these commissions with great regularity; and it is at least possible that things were so planned. There may have been many reasons why the elder statesmen sought or accepted election to such boards. We need not search for them at length: this service was one form of public duty; some of them may have welcomed the glory of founding another miniature Rome and writing another paragraph in Roman history; the evidence does not justify us in either intimating or denying that there were other rewards. If one allowed modern experience to make him cynical, one might suggest that such posts were means of keeping faithful party workers busy and in the public eye. The high proportion of young men and the considerable number of exceedingly respectable names of older men make us doubt that this was true. But every political party, in Rome or elsewhere, has its deserving wheel horses. This question will some time demand a separate investigation, and in this commissions of other sorts than those considered here and particularly the *legationes* must be taken into account.

PROPAGANDA IN THE ARCHIDAMIAN WAR

LIONEL PEARSON

THE conclusions suggested by comparison of passages in Herodotus and Thucydides are sometimes very startling. Indeed, from a fear of unexpected results, many scholars have avoided any such comparison and have preferred to keep the work of these two authors as far as possible separate. They have accordingly convinced themselves that Herodotus published his history before the second year of the Peloponnesian War was over, and have put the date of his death at the very latest in 425.¹ But much of what Herodotus writes is not intelligible on this hypothesis. His attitude on many points is the attitude of a man who has passed through several years of the Peloponnesian War. This was realized by Eduard Meyer and emphatically reiterated by H. B. Wright,² who thinks Herodotus could not have been so scornful about Spartan courage at Plataea unless he wrote after 425, when Spartan prestige suffered severely from the capture of the hoplites on Sphacteria. Jacoby,³ on the other hand, calls Meyer's view "unthinkable"; but it was revived by O. J. Todd,⁴ who argues that Herodotus lived till after the peace of Nicias was made, because in at least one instance (ix. 73, possibly also vii. 137) he refers to the Archidamian War as something which belongs to the past (τὸν πόλεμον τὸν . . . ὕστερον γενόμενον). The more extreme view, upheld by W. Mure,⁵ that the history was not published till 408 and that its author perhaps saw the beginning of the fourth century, is now almost forgotten.

The evidence which is urged in support of the early date of publication can be stated very briefly. Herodotus refers explicitly to no event

¹ Jacoby in Pauly-Wissowa, Supp. II, s.v. "Herodotos," col. 232, follows the old orthodox view, as represented in the edition of Stein and the commentary of How and Wells. So also the literary historians Croiset, Bergk, and K. O. Müller.

² Ed. Meyer, *Forschungen zur alten Geschichte*, II, 196 ff.; H. B. Wright, *The Campaign of Plataea* (New Haven, 1904), esp. pp. 9, 21-27, 76 ff.

³ *Op. cit.*, col. 240. This article was published in 1913.

⁴ *Class. Quart.*, XVI (1922), 35.

⁵ *Literature of Ancient Greece*, Vol. IV, Append. G, pp. 534 ff.

which is later than the year 430. The latest events which he mentions are the following: the expulsion of the Aeginetans from Aegina in 431 (vi. 91); the attack of the Thebans on Plataea (vii. 233); the Peloponnesian invasion of Attica when Deceleia was left unharmed (ix. 73);⁶ and the capture in 430 of the Peloponnesian envoys on their way to the Persian court (vii. 137). The passage mentioning the Propylaea and the four-horse chariot that meets a visitor on his left when he enters (v. 77) likewise dates from 431 or later.

With the year 430 established as a *terminus post quem*, two arguments are used to show that publication took place earlier than 425. It is pointed out that in vi. 91, though the expulsion of the Aeginetans in 431 is mentioned, nothing is said about the disaster which befell the Aeginetan exiles in 424 after the capture of Thyrea (Thuc. iv. 57); and it is argued that the facetious account in Aristophanes' *Acharnians* (produced in 425) of how the Peloponnesian War began,⁷ is a parody of the opening chapters of Herodotus. Of these two arguments the first is of no value at all, because, in speaking of the curse which rested on the Aeginetans, it was quite needless for Herodotus to say more than "they were expelled from the island before they could placate the goddess."⁸ The argument from the passage in Aristophanes has some weight; but it makes one of two important assumptions: either that the written work of Herodotus was sufficiently well known for Aristophanes to make it the object of his humor or that the comedian did not expect his audience fully to understand his joke. He may be referring to one of the lectures given by Herodotus, which were events of more importance in Athens than the publication of the history, or he may not. The argument is certainly not adequate to prove publication of the history before 425.⁹

⁶ Which invasion, or how many invasions had Herodotus in mind?

⁷ Vss. 524-29:

πόρνην δὲ Σιμαίθαν ἰόντες Μεγαράδε
νεανίαι κλέπτουσι μέθυσοκότταβοι.
καὶ οἱ Μεγαρῆς δδύναις πεφυσιγγωμένοι
ἀντεξέκλεψαν Ἀσπασίας πόρνα δύο.
κάντεϋθεν ἀρχὴ τοῦ πολέμου κατερράγη
Ἑλλησι πᾶσιν ἐκ τριῶν λαικαστριῶν.

⁸ vi. 91: ἔφθησαν ἐκπεσόντες πρότερον ἐκ τῆς νήσου ἢ σφί ὅλων γενέσθαι τὴν θεόν. On this passage see also Todd, *loc. cit.*, and A. W. Gomme, *Class. Quart.*, XX (1926), 98.

⁹ Mahaffy (*Hist. of Class. Greek Lit.*, II, 22) thinks both these arguments are "very precarious." He thinks it likely, from the absence of later allusions, that "Herodotus died before 420" (p. 16); but beyond this statement he will not go. Schmid, the latest

If we do not accept the early date for publication, we must realize that Herodotus may have been, while writing, under the influence of whatever propaganda was circulated during the early days of the Archidamian War. Thucydides was writing at a time further removed from these events; and he can claim to look back upon them with detachment, since the war has lasted long enough for unreasonable hatreds and many unfounded stories to die a natural death. Herodotus, indeed, was writing about events most of which had happened before he was born or in his early childhood; but they were events in which the bitter enemies of the Peloponnesian War had been rivals, and not always friendly rivals. There were some episodes in the Persian Wars which the bitter feeling of 432-424 would want to interpret in its own way. Propaganda does not respect the facts of past history any more than it respects the facts of the present, and there are particular reasons why this statement should hold good of propaganda in the fifth century before Christ.

In considering the form which propaganda is likely to take in the ancient world, one should remember the popular attitude toward the justice of retaliation. The one certain conclusion which emerges from Cornford's *Thucydides mythistoricus* is that Thucydides does illustrate accurately the conventional moral and religious ideas of his time. Herodotus needs no such ingenious interpreter. His words in several passages make it clear to every reader that the Greeks sanctioned any treatment of an enemy, however cruel, if they could show it was done in revenge for a cruel action committed by the victim. Some of his anecdotes bring out the popular Greek attitude toward revenge and justice more clearly than any of the discussions on justice in Plato and Aristotle. They show that if a city did a kindness to another, it expected the favor to be returned—and indeed almost had the right to demand it.

For example, according to one version of the story, when the Spartans sent ships to Samos to restore the exiles whom Polycrates had expelled, it was in return for help that the Samians had given in the past to the Spartans against the Messenians.¹⁰ The Milesians, in

authority, in Müller's "Handbuch," Abt. VII, *Gr. Literaturgesch.*, I, ii, 591 (published in 1934) thinks he worked on his history "perhaps until 425."

¹⁰ ii. 47: ἐστρατεύοντο Λακεδαιμόνιοι ἐπὶ Σάμον, ὥς μὲν Σάμιοι λέγουσι, ἐπεργεσίας ἐκτίνοντες, ὅτι σφι πρότεροι αὐτοὶ νηυσὶ ἐβοήθησαν ἐπὶ Μεσσηνίους.

their war against the Lydians, were helped by none of the Ionians except the Chians, who supported them in return for help which the Milesians had given them against the Erythraeans.¹¹ When Sybaris was captured by the people of Croton, the Milesians had shown their concern by cutting their hair short; and when, on the capture of Miletus by the Persians, the Sybarites did not make a similar demonstration of their sorrow, they were apparently thought very remiss because οὐκ ἀπέδωσαν τὴν ὁμοίην.¹² The importance of *εὐεργεσία* in popular Greek morality is enormous; the necessity of "returning like for like" was a simple moral idea which all could grasp, and its inadequacy as a guiding principle in life is the first point which Plato makes in the *Republic*.¹³ The speeches which Thucydides puts in the mouths of delegates seeking alliance are filled with references to *εὐεργεσία* and the expectation of gratitude.¹⁴

If gratitude for kindness was expected by the benefactor, and regarded as his rightful due, so also was revenge for injustice expected by the oppressor as just punishment for his misdeeds. When a suffering state takes revenge for an injury which it has received, this is no excuse for open quarrel but merely restores the proper balance of justice. The opening chapters of Herodotus show this. After the Europeans have avenged the abduction of Io by carrying off Europa from Phoenicia, the score is settled,¹⁵ and it is only the abduction of Medea which gives excuse for renewing the quarrel; this is again settled by the rape of Helen, so that the Greeks have no just grounds for the Trojan War; after this the East nurses its grievance for some centuries, regarding itself as the established enemy of the West, with a score to be paid.¹⁶ If these chapters seem rather puerile, it is because they represent the popular attitude.¹⁷

¹¹ i. 18: τοῖσι δὲ Μιλήσιοις οὐδαμοὶ Ἰώνων τὸν πόλεμον τοῦτον συνεπλάφρυνον, ὅτι μὴ Χίοι μόνον. οὗτοι δὲ τὸ ὅμοιον ἀνταποδιδόντες ἐτιμώρεον· καὶ γὰρ δὴ πρότερον οἱ Μιλήσιοι τοῖσι Χίοις τὸν πρὸς Ἐρυθραίους πόλεμον συνδήρηνκαν.

¹² vi. 21.

¹³ 331D ff.

¹⁴ See, e.g., the Corinthians' speech (i. 41), and the opening remarks of the Mytilenians at Olympia in 428, where they have to plead an exception to τὸ καθ' ἑστέος τοῖς Ἕλλησι νόμιμον. They add: μηδὲ τῷ χείρονι δόξωμεν εἶναι, εἰ ἐν τῇ εἰρήνῃ τιμώμενοι ἐπ' αὐτῶν ἐν τοῖς δαινοῖς ἀφιστάμεθα (iii. 9).

¹⁵ i. 2: ταῦτα μὲν δὴ Ἰσα πρὸς Ἰσα σφί γενέσθαι.

¹⁶ i. 5.

¹⁷ Cf. F. R. Earp, *The Way of the Greeks*, pp. 34 ff.

Indeed the doctrine of Nemesis, which plays such a large part in the history of Herodotus, is nothing more than a religious aspect of the popular attitude toward revenge. If anyone has given offense, whether to god or man, he must expect the offense to recoil upon himself. When Periander sends three hundred young Corcyreans to Alyattes to become eunuchs at his court, Herodotus does not comment on his cruelty, because he is taking just revenge on the Corcyreans for the murder of his son.¹⁸ Likewise the Corinthians cherished a grudge against the Samians because they rescued these young Corcyreans from their fate; this grievance was supposed to be their reason for taking part in the expedition against Samos.¹⁹ Violent action was always justifiable, if it could be dignified by the name of *τιμωρία*. The most extraordinary instance of this attitude is shown by the story of the heralds whom the Spartans sent to Xerxes with the request that he should kill them, so that their death might balance the murder of the Persian heralds who came to ask for earth and water; Xerxes, by refusing to return like for like, kept the balance of justice on his side.²⁰

This popular view about *τιμωρία* was bound to exert an influence on the methods of propaganda which the Greek cities used. Indeed, the sequel to this story about the Persian heralds shows the point very clearly. Both Herodotus and Thucydides describe the capture by the Athenians in 430 of the Spartan envoys sent to the Persian court, and their summary execution at Athens, where they were refused the privilege of making any statement and were thrown over a precipice.²¹ According to Thucydides, the Athenians justified this drastic treatment on the ground that they were "returning like for like" (*δικαιοῦντες τοῖς αὐτοῖς ἀμύνεσθαι οἷσπερ καὶ οἱ Λακεδαιμόνιοι ὑπῆρξαν*), since the Spartans had executed in similar fashion the crews of Athenian, allied, and even neutral merchantmen which they captured off the coast of the Peloponnese.²² This claim made by the Athenians

¹⁸ iii. 49: ἀπέπεμπε δὲ ἐς Σάρδεις ἐπ' ἑκτομῇ Περικλῆος τῶν πρώτων Κερκυραίων ἐπιλέξας τοὺς παῖδας τιμωρούμενος· πρότεροι γὰρ οἱ Κερκυραῖοι ἤρξαν ἐς αὐτὸν πρῆγμα ἀτάσθαλον ποιήσαντες. And, after telling the story, Herodotus finishes with the words: ἀντὶ τούτων μὲν Περικλῆος Κερκυραίους ἐτιμωρήτο (iii. 53).

¹⁹ iii. 48: συνεπελάβοντο δὲ τοῦ στρατεύματος τοῦ ἐπὶ Σάμον ὥστε γενέσθαι καὶ Κορίνθιοι προθύμως· ὕβρισμα γὰρ ἐς τοὺτους εἶχε ἐκ τῶν Σαμίων γενόμενον γενεῇ πρότερον τοῦ στρατεύματος τούτου.

²⁰ vii. 134-36.

²¹ Herod. vii. 137; Thuc. ii. 67.

²² Thuc. ii. 67.

may or may not have been justified, but the Spartans had to meet it. The account of Herodotus shows the ingenuity of their method. They claimed that with the execution of these heralds they were at last punished for murdering the Persian heralds; but, whereas they had recognized the error of their ways, and Xerxes, a mere barbarian, had refused to violate international usage by killing the heralds they sent him, the Athenians, on the other hand, were so immoral that, far from repenting their wickedness in murdering Persian heralds, they actually repeated the offense on Greeks without apparently any qualms of conscience. Herodotus quotes the authority of the Spartans for this account,²³ and, wherever he heard it, it unquestionably came from a Spartan source; it was a propaganda story, intended to blacken the reputation of the Athenians.

Before going further, it may be useful to limit the scope of the discussion by defining what is to be regarded as propaganda. In days before the invention of printing, the mere written word had little value as propaganda, so that the works of pseudo-Xenophon and Stesimbrotus of Thasos²⁴ can scarcely be regarded as such. Tendencious and malicious works such as these are often called "political tracts" or "pamphlets"; but such works were written primarily to satisfy the author's feelings; they might please or irritate a limited number, but could scarcely have much influence on public opinion in general. When there are no popular newspapers, propaganda needs the spoken, rather than the written, word; the assembly, the street corners, the palaestrae, the taverns, and the theater are the places where propagandist stories could be spread and patriotic feeling or disaffection aroused.

Mention of the theater suggests the earlier plays of Euripides and Aristophanes—notably the *Andromache* and *Heracleidae*, the *Knights* and *Acharnians*. But though the tragedies are filled with patriotic feeling and strong anti-Spartan sentiment, and the comedies treat of contemporary political controversies, they can scarcely be classed as propaganda; indeed, one is more inclined to believe that the plays re-

²³ vii. 137.

²⁴ For Stesimbrotus' work *περί Θेमιστοκλέους καὶ Θουκυδίδου καὶ Περικλέους* see Jacoby, *F. Gr. Hist.*, IIB, and Schmid in Müller's "Handbuch," Abt. VII, *Gr. Literaturgesch.*, I, ii, 676.

flect public opinion than that they seek to influence it. Euripides in these two plays several times attacks Spartan customs and morals²⁵ and consistently blackens Spartan character, and no doubt this was to the taste of his audience. More interesting is the reflection in the *Heracleidae* of some sentiments of Pericles' funeral speech, particularly in the episode of Macaria.²⁶ Certainly these plays are expected to arouse patriotic enthusiasm; but they do so either by referring to familiar topics or by abusing Spartan duplicity as though it were familiar to everyone.

The most interesting evidence of propaganda comes from the pages of Thucydides and Herodotus. In writing speeches for the Spartan characters, Thucydides presumably used his knowledge of the sentiments which were in fact spread among the Peloponnesian allies and by their agents elsewhere. One gains the impression from his narrative that during the first six years of the war Peloponnesian propaganda was more active than Athenian. His account of the astonishment at Athens when the Spartans on Sphacteria were captured²⁷ shows how no Athenian propaganda had been able to destroy the belief that the Spartan hoplite was invincible.²⁸ Likewise his account of the mocking attitude in Athens toward the boast of Cleon, and the conviction that he was going to fail,²⁹ shows how highly the Athenian public respected the strength of the enemy. The Spartans are supposed to believe that the Athenians are eager for peace, and that Spartan obstinacy is responsible for the continuance of war.³⁰

It was the first congress of Sparta which really decided the declaration of war. It is of no importance whether the speeches which

²⁵ E.g., *Andr.* 595 ff., 724-26.

²⁶ Cf. especially 476-77, 533-34, 621-24, 702-3.

²⁷ iv. 40.

²⁸ Cf. *Xen. Resp. Ath.* ii. 1; on the other hand, cf. *Eur. Andr.* 724-26:

εἰ δ' ἀπὴν δορὸς
τοῖς Σπαρτιάταις δόξα καὶ μάχης ἀγῶν,
τᾶλλ' ὄντες ἴστε μηδενὸς βελτίους.

²⁹ iv. 28: τοῖς δὲ Ἀθηναίοις ἐπέσε μὲν τι καὶ γέλωτος τῇ κουφολογίᾳ αὐτοῦ, ἀσμένους δ' ὅμως ἐτίγνετο τοῖς σώφροσι τῶν ἀνθρώπων, λογιζομένοις δυοῖν ἀγαθοῖν τοῦ ἐτέρου τεύξεσθαι, ἢ Κλέωνος ἀπαλλαγῆσεσθαι, ὃ μᾶλλον ἤλπιζον, ἢ σφαλῆσαι γνώμης Λακεδαιμονίου σφίσι χειρώσεσθαι.

³⁰ iv. 21: οἱ μὲν οὖν Λακεδαιμόνιοι τούτῳ εἶπον, νομίζοντες τοὺς Ἀθηναίους ἐν τῷ πρὶν χρόνῳ σπονδῶν μὲν ἐπιθυμεῖν, σφῶν δὲ ἐναντιουμένων κωλύεσθαι, διδομένης δὲ εἰρήνης ἀσμένους διέξεσθαι τε καὶ τοὺς ἀνδρας ἀποδώσειν.

Thucydides records represent accurately what was actually said. They are enormously valuable as showing what arguments could be used by those in favor of war. The Corinthians insist that Sparta must live up to her reputation as the champion of Hellenic liberty,³¹ and they point to the history of the previous fifty years as an argument for the necessity of immediate action. One is ready to believe that history was falsified by both sides in the cause of propaganda; here Thucydides shows beyond doubt that this was done, because an appeal to previous history cannot be completely successful if truth is respected more than prejudice. The speech given to the Athenian delegates, whose excuse for being present is never revealed,³² is, before everything else, a reply to the historical arguments. After complaining politely about the anti-Athenian propaganda,³³ and saying it is their earnest desire to prevent Sparta from taking a foolish step, they begin by giving an account of events in the Persian War and a defense of Athenian activities at that time.³⁴ This account of their behavior is quite uncalled for except on the supposition that an attempt had been made to belittle the part they had played.

They say that at Marathon they alone faced the barbarian. Does this mean that some Peloponnesian denied it?³⁵ About Artemisium and Thermopylae nothing is said; but they point out in very simple language that, since they were unable to resist Xerxes by land, they embarked in full force in their ships and took part with the rest in the battle of Salamis, thus preventing the Persian forces from landing in the Peloponnese and sacking the cities one by one. They explain how important it was to meet the enemy on the sea and how they deserved credit for continuing to hold firm when their city was in the

³¹ i. 69.

³² i. 72 ff.

³³ i. 73: αἰσθανόμενοι δὲ καταβοὴν οὐκ ὀλίγην οὔσαν ἡμῶν.

³⁴ *Ibid.*: καὶ τὰ μὲν πάντα παλαιὰ τί δεῖ λέγειν, ὧν ἀκοαὶ μᾶλλον λόγων μάρτυρες ἢ ὅφισι τῶν ἀκουσομένων; τὰ δὲ Μηδικὰ καὶ ὅσα αὐτοὶ ξήνιστε, εἰ καὶ δι' ὅχλου μᾶλλον ἔσται αἰεὶ παραβαλλομένοις, ἀνάγκη λέγειν· καὶ γὰρ ὅτε ἐδρώμεν ἐπ' ὠφελίᾳ ἐκινδυνεύετο ἥς τοῦ μὲν ἔργου μέρος μετέσχετε, τοῦ δὲ λόγου μὴ πάντος, εἰ τι ὠφελεῖ, στερισκώμεθα. ῥηθήσεται δὲ οὐ παραιτήσεως μᾶλλον ἔνεκα ἢ μαρτυρίου καὶ δηλώσεως πρὸς οἷαν ὑμῖν πόλιν μὴ εὖ βουλευομένοις ὁ ἄγων καταστήσεται.

³⁵ Attempts have been made to show that the importance of the Athenian victory at Marathon was overrated. In other words, some modern critics are coming under the influence of the anti-Athenian propaganda which was circulated at the beginning of the Peloponnesian War. Cf. Weeklein, *Tradition der Perserkriege*, and F. Maurice in *JHS*, LII (1932), 13 ff.

hands of the enemy. They are content to meet their accusations by giving a straightforward account of Athenian activities, not meeting charge with countercharge, and not even explicitly mentioning the charges in order to deny them. Their language is polite, and there is nothing in their speech which could give offense to any of the Peloponnesians.

Herodotus, however, records an Athenian story about Salamis, which may have been invented about this time or a little later. According to this story, the Corinthian admiral Adeimantus fled in terror as soon as the battle started, and returned only when all was over. This was the Athenian story, stoutly denied by the Corinthians, who had the support in their denial of the rest of Greece.³⁶ Now a certain Aristeus, son of Adeimantus, was in command of the Corinthian forces at Potidaea;³⁷ and in consequence this attack on the older Adeimantus (who may have been either his father or his great-uncle) is particularly well timed in 432 or 431 to discredit the Corinthian activities.³⁸ It may indeed be a reply to certain insinuations about Themistocles, such as the rumor recorded by Herodotus that he thought of sailing away to the west with the Athenian fleet and settling at Siris in Italy.³⁹ The Peloponnesians perhaps say that Themistocles thought of deserting the Hellenic cause; the Athenians, in reply, go further than this and declare that Adeimantus actually did so and that his offspring Aristeus is now betraying the cause of Greek liberty at Potidaea. Two years later they can speak more loudly, because this Aristeus was caught with the other delegates whom the Peloponnesians were sending to the Persian court.⁴⁰

If, however, the speech which Thucydides puts in the mouth of the Athenian delegates at Sparta⁴¹ is at all representative of the official

³⁶ Herod. viii. 94. The author of the *De mal. Hdti.* objects strongly that Herodotus should record such an ill-attested story (chap. 39).

³⁷ Thuc. i. 60.

³⁸ See Ed. Meyer, *Forschungen*, II, 202-3, and footnote. He thinks that the story was not invented till after the outbreak of war, for which Athens held Corinth largely responsible. Jacoby, on the other hand, thinks that this attack on Adeimantus belongs to the previous quarrel, fifteen years earlier (*op. cit.*, col. 240).

³⁹ Herod. viii. 62. Again the author of the *De mal. Hdti.* objects strongly to the various discreditable stories which Herodotus records about Themistocles.

⁴⁰ Herod. vii. 137.

⁴¹ Thuc. i. 73-78.

Athenian attitude, the charges of the Peloponnesians were not at first met with countercharges. They say at the very beginning of their speech that it is not their intention to deny the charges brought against them,⁴² meaning to imply that it is not necessary to deny charges which are so obviously false. But it seems they made a mistake in taking this attitude; the ephor, Sthenalaidas, in a brief speech made before closing the congress, points out they have not refuted the charges made against them.⁴³

It seems probable, then, that the Peloponnesians were at first unhindered in circulating anti-Athenian propaganda; that no opposition except indignant denial met their statements; and that it was some time before the Athenians began throwing the accusations back in the teeth of their accusers, contenting themselves at first merely with pointing out what had actually happened. Furthermore, in the earlier years there was no restraint on speech in Athens⁴⁴ which could stop the spread of propaganda.

The speeches of Pericles, as Thucydides records them, certainly contain no countercharges against the enemy. His speech in the first book is very restrained, and the arguments seem very fair. He does not accuse the Peloponnesians of discreditable behavior during the time of the Persian Wars, but comes quickly to the point, saying that "the Lacedaemonians have obviously been plotting against us previously, and now it is even clearer that they are doing so."⁴⁵ He tells them that war is inevitable and that the Spartans have really no intention of submitting to arbitration; and, once he has said this, he spends the rest of his time in pointing out how much stronger their own resources are than the resources of the other side. He advises the Athenians to meet the demands of the Spartans with counter-demands (which he knows will not be accepted);⁴⁶ and thus the declara-

⁴² i. 73: παρήλθομεν οὐ τοῖς ἐγκλήμασι τῶν πόλεων ἀντεροῦντες (οὐ γὰρ παρὰ δικασταῖς ὑμῖν οὔτε ἡμῶν οὔτε τούτων οἱ λόγοι ἀν γίγνυντο) ἀλλὰ . . . κ.τ.λ.

⁴³ i. 86: ἐπαινέσαντες γὰρ πολλὰ ἑαυτοὺς οὐδαμοῦ ἀντεῖπον ὡς οὐκ ἀδικοῦσι τοὺς ἡμετέρους συμμάχους καὶ τὴν Πελοπόννησον.

⁴⁴ Not apparently till the production of Aristophanes' *Babylonians*, to which Cleon took exception. Cf. Aristoph. *Achar.* 642, Rogers' ed., Introd., pp. xxii f.

⁴⁵ i. 140: Λακεδαιμόνιοι δὲ πρότερόν τε δῆλοι ἦσαν ἐπιβουλεύοντες ἡμῖν καὶ νῦν οὐχ ἥκιστα.

⁴⁶ i. 144: νῦν δὲ τοῦτοις ἀποκρινάμενοι ἀποπέμψωμεν, Μεγαρέας μὲν διτι ἐάσομεν ἀγορᾷ καὶ λιμέσι χρῆσθαι, ἦν καὶ Λακεδαιμόνιοι ξηνηλασίας μὴ ποιῶσι μήτε ἡμῶν μήτε τῶν ἡμετέρων

tion of war is precipitated, though technically it is uncertain on which side the responsibility rests.

Some historians,⁴⁷ paying overmuch attention to the words of Hermes in Aristophanes' *Peace*,⁴⁸ have been inclined to think that Pericles forced the Athenians into war in order to save himself from political ruin; they argue that the position of Pericles in the years immediately preceding the outbreak of war was very insecure and that the public was showing its dissatisfaction with him by its attitude toward Pheidias, Anaxagoras, and Aspasia, all of whom were accused on various charges.⁴⁹ Mistakes can easily be made through regarding Aristophanes as a serious historian. The difficulty of basing any theory on what is said by characters in his plays is that one can never be sure whether his words are a parody of the truth or bear no relation to the truth at all. There is not sufficient evidence to show that Pericles forced Athens into war in order to save his political position, but there is evidence that the Spartans wanted people to believe this, in order that Pericles, whom they particularly feared, might be deposed from office.

Thucydides (i. 126) describes how the Spartans sent an embassy to Athens, reminding the Athenians of the curse which had rested on the Alcmaeonid house ever since the murder of Cylon and his followers. Cleomenes, when he had invaded Attica, had expelled from the country large numbers of the accursed family;⁵⁰ and his object was unquestionably the same as the object of the Spartans at this time: to rid Athens of the men who were most dangerous to Sparta. On this occasion the Athenians were able to make a counterdemand of

ἐνυμμάχων (οὔτε γὰρ ἐκεῖνο κωλίδει ἐν ταῖς σπονδαῖς οὔτε τόδε) τὰς δὲ πόλεις ὅτι αὐτονομίους ἀφύσσομεν εἰ καὶ αὐτονομίους ἔχοντες ἐσπεισάμεθα, καὶ ὅταν κἀκεῖνοι ταῖς ἐαυτῶν ἀποδῶσι πόλεις μὴ σφίσι ἐπιτηδείως αὐτονομεῖσθαι, ἀλλ' αὐτοῖς ἐκάστοις ὥς βούλονται.

⁴⁷ E.g., Beloch, *Attische Politik seit Perikles*, p. 22, *Griech. Gesch.*², II, i, 296. For a good criticism of the various views see footnote in Busolt, *Griech. Gesch.*, III, ii, 818-21. Cf. also Grote, V, 367-68; Curtius (trans. Ward), III, 28, 51; Ed. Meyer, *Forschungen*, II, 300 ff.

⁴⁸ *Pax* 602-11. Cf. *Achar.* 524-34, and see also *De mal. Hdti.*, chap. 6.

⁴⁹ Plutarch *Per.* 31-32. Cf. also chap. 29, where he is supposed to be held responsible for the war because of his refusal to withdraw the Megarian Decree (cf. Thuc. i. 139). Plutarch finishes his account of the scandals by saying: αἱ μὲν οὖν αἰτίαι δι' ἃς οὐκ εἴασεν ἐνδοῦναι Λακεδαιμονίους τὸν δῆμον αὐταὶ λέγονται, τὸ δ' ἀληθὲς ἀδελφον. Diodorus xii. 39-40 is inclined to believe the story.

⁵⁰ Thuc. i. 126; Herod. v. 70-72.

the Spartans, demanding that expiation be made not of one curse but of two: the curse of Taenarus and the curse of the Brazen House.⁵¹ But, although technically Sparta might be shown to be more guilty than Athens for harboring accursed persons, the harm was done in Athens by rousing ill feeling against Pericles. Thucydides himself recognizes that the unpopularity of Pericles was due to Spartan propaganda. The Spartans, he says, wanted the Athenians to think that the war was a divine punishment sent upon them because they had not driven out the accursed Pericles.⁵² In face of this propaganda it is no wonder that a superstitious Athenian populace turned against Pericles during the first two years of the war. The propaganda department in Sparta had good reason to be pleased with its work.

Thucydides does not record how far the Spartans went in revealing arguments why the Athenians should drive out the accursed Alcmaeonid. But some of the scandals about the Alcmaeonid family may have been used by Spartan propagandists. The first time that Herodotus mentions the family, he calls them "the so-called accursed Alcmaeonidae."⁵³ Alcmaeonids are charged with bribing the Delphic oracle to make Sparta put down the Athenian tyrants,⁵⁴ and Alcmaeonids are supposed to be responsible for the shield-signal given to the Persians after the battle of Marathon.⁵⁵ Both these actions are definitely treacherous, the first, no less than the second, being an invitation to a foreign power to attack Athens. It would seem, then, that the Spartans told the Athenian public not merely that the Alcmaeonids were under a curse but that the loyalty of an Alcmaeonid could not be trusted. Even in 424, when Aristophanes produced the *Knights*, the curse of the Alcmaeonidae is not forgotten; the Paphlagonian accuses the sausage-seller of being descended from the accursed house.⁵⁶ Perhaps now that the war had been going on for some time, the Spartan propaganda of ten years before seemed amusing in retrospect.

⁵¹ Thuc. i. 128.

⁵² i. 127: τοῦτο δὴ τὸ ἄγος οἱ Λακεδαιμόνιοι ἐκέλευον ἐλαύνειν δῆθεν τοῖς θεοῖς πρῶτον τιμωροῦντες, εἰδότες δὲ Περικλέα τὸν Ξανθίππου προσεχόμενον αὐτῷ κατὰ τὴν μητέρα καὶ νομίζοντες ἐκπεσόντος αὐτοῦ ῥῆον ἂν σφίσι προχωρεῖν τὰ ἀπὸ τῶν Ἀθηναίων. οὐ μέντοι τοσοῦτον ἡλπίζον παθεῖν ἂν αὐτὸν τοῦτο ὅσον διαβολὴν οἴσιν αὐτῷ πρὸς τὴν πόλιν ὥς καὶ διὰ τὴν ἐκείνου ξυμφορὰν τὸ μέρος ἔσται ὁ πόλεμος.

⁵³ i. 61.

⁵⁴ *Ibid.* vi. 115.

⁵⁵ Herod. v. 62-63.

⁵⁶ Aristoph. *Equit.* 445.

Eduard Meyer has argued that, in spite of the scandals which he records about them, Herodotus is really a vigorous supporter of the Alcmaeonid house and that he takes this side naturally because of his admiration for Pericles.⁵⁷ He also thinks that Herodotus underestimates the importance of Themistocles for the same reason, since the Alcmaeonidae had been bitterly hostile to him. This may be true, but it is not the whole truth. Peloponnesian propaganda was undoubtedly directed against Themistocles as well as against Pericles, in order to discredit the part played by Athens in the Persian wars. Herodotus was not inclined to deny so vigorously these charges against Themistocles, since in all probability they had been invented originally by the opponents of Themistocles, the supporters of Cimon and Pericles.

Indeed, it is very likely that the Peloponnesian propagandists did not themselves invent all the charges which they made against the Athenian statesmen of the previous generation but that these accusations had already been used in Athenian political campaigns. It is very probable that the Peloponnesians were able to use the political war cries of Athens as anti-Athenian propaganda. The Alcmaeonids had fallen into discredit in the years following the battle of Marathon, when Megacles and Xanthippus, together with Aristides, were ostracized, and left the field open for Themistocles. No doubt the story of the shield-signal and the "curse" of the Alcmaeonids were valuable political weapons in those days. Again, when Themistocles in his turn fell from power, these stories were forgotten in favor of stories about his own treachery. And in all probability these stories were almost, if not entirely, forgotten in the subsequent quarrels between Cimon, Ephialtes, Thucydides, and Pericles. Peloponnesian propagandists, helped by the political opponents of Pericles,⁵⁸ revived all these scandals during the quarrels which led up to the Peloponnesian War; but their purpose was twofold: first, to discredit and, if possible, ruin Pericles as a member of the Alcmaeonid family; secondly, to blacken the reputation of Athenian statesmen in general, so as to turn the sympathy of other Greek states against Athens.⁵⁹ Herodotus, who

⁵⁷ *Forschungen*, I, 222 ff.; cf. Jacoby, *op. cit.*, cols. 237-38.

⁵⁸ Grote says the Lacedaemonians made these charges against Pericles "doubtless at the instance of his political enemies" (V, 361). Cf. Curtius (trans. Ward), III, 28, 50.

⁵⁹ Jacoby (*op. cit.*, col. 239) thinks that the charge of medism against the Alcmaeonids belongs to between 450 and 445.

glorified the past of Athens, vigorously denied the discreditable stories, except where his own political feelings did not allow him to do so.⁶⁰ Aristophanes, with his regret for the old days, reminded the Athenians that these scandalous stories did not represent the whole truth. But Pericles had to justify the character of Athenian statesmen in his own time. The violent conservatism of men like Aristophanes only made his task the more difficult.

The funeral speech of Pericles is an attempt to make the Athenians proud of their city, proud of their present intellectual civilization as well as of their past military glories. There is no doubt that the enemies of Athens were much helped by the reactionary conservatism of the Athenian middle class. To those who did not believe the stories about the past misdeeds of Athens, they could point out "that not even the Athenians deny how unwholesome and degraded is their civilization of today." The speech of Archidamus at the congress of Sparta⁶¹ gives an indication of this attitude. It is a restrained speech, and Thucydides does not allow him to mention explicitly his own view of modern Athenian civilization. But it is full of appeals to *σωφροσύνη* and *αἰσχύνη*, and he tells his audience with pride that their education has not filled them with foolish ideas which teach them to ignore the commands of law and decency.⁶² This was the kind of propaganda which Pericles, as representative of his own age in Athens, had to meet. He had to show that the intellectualism of modern Athens did not necessarily imply atheism or immorality. He did not want to glorify the past at the expense of the present. The Athenian speakers at the congress of Sparta had made this mistake, devoting their energies to show that the past record of Athens was

⁶⁰ Cf. Ed. Meyer, *op. cit.*, pp. 228-29: "Es wäre absurd Herodots Werk als eine Tendenzschrift zu bezeichnen. Aber der grosse Kampf der Gegenwart, der Angriff auf Athen, zu dem sich ganz Griechenland zusammenschliesst, veranlasst ihn, die Ergebnisse seiner Forschungen zu einem einheitlichen Werke zusammen zu fassen, das, indem es die Entwicklungen darlegt, eben dadurch zugleich die Berechtigung der Stellung erweist, die Athen einnimmt."

⁶¹ Thuc. i. 80-85.

⁶² i. 84: πολεμικοί τε καὶ εἰζουλοὶ διὰ τὸ εὐκοσμον γιγνόμεθα, τὸ μὲν δτι αἰδῶς σωφροσύνης πλείστον μετέχει, αἰσχύνῃ δὲ εὐψυχία, εἰζουλοὶ δὲ ἀμαθέστερον τῶν νόμων τῆς ὑπεροφίας παιδευόμενοι καὶ ξὺν χαλεπότητι σωφρονέστερον ἢ ὥστε αὐτῶν ἀνηκουστεῖν, καὶ μὴ τὰ ἀχρεΐα ξυνητοὶ ἄγαν ὄντες τὰς τῶν πολεμίων παρασκευὰς λόγῳ καλῶς μεμφόμενοι ἀνομοίως ἔργῳ ἐξέναι.

unstained, and saying nothing about the present. The ephor Sthenelaidas was not at all satisfied with this; a good record in the past, he said, was all the more reason for them to be ashamed of their present disgraceful conduct.⁶³ The Spartans claimed that Spartan customs had not changed at all; Pericles had to convince the Athenians that, if Athens had changed, the change was for the better.

There is no violent propaganda in the funeral speech; but, without abusing the enemies of Athens, Pericles succeeds in telling his audience that their city and their customs are incomparably superior to those of all other Greek states. He does not admit possible objections but sets forth all the arguments without interruption. Whatever one may think of the oratorical style, the arguments are extremely well chosen. All the charges of Archidamus are answered without one of them being mentioned. Thucydides does not think it necessary to describe what the effect of this speech was. But when Pericles next had to justify himself before the assembly, it was for a different reason: his strategy and nothing else was the cause of his unpopularity during the year of the plague.

It is in this year that the Athenians for the first time show signs of taking the initiative in propaganda. Hitherto they have confined themselves to *tu quoque*, telling the Spartans that they are guilty of the crimes with which they charge the Athenians. But Thucydides tells us the Athenians accused their enemies of causing the plague by poisoning the wells,⁶⁴ a very effective piece of propaganda, to which the Peloponnesians could not retort. Thucydides says that the speech which Pericles made at this time was effective in checking communication with the enemy.⁶⁵ But this scandalous rumor, charging the Peloponnesians with disregarding the established rules of warfare, was surely far more effective than a restrained speech of Pericles. Indeed, Thucydides has to admit that the Athenians were not entirely convinced by this speech; they were not satisfied until they had fined him.⁶⁶

In describing the events of the following year, Thucydides shows the influence of popular feeling at Athens. The naval successes of

⁶³ i. 86: καίτοι εἰ πρὸς τοὺς Μήδους ἐγένοντο ἀγαθοὶ τότε πρὸς δ' ἡμᾶς κακοὶ νῦν, διπλοσίας ζήμιας ἀξιοὶ εἰσιν, ὅτι ἀντ' ἀγαθῶν κακοὶ γεγένηνται. Cf. also Grote, V, 353-54.

⁶⁴ ii. 48.

⁶⁵ ii. 65. 2.

⁶⁶ ii. 65. 3.

Phormio occupy a prominent position; but they are apparent successes rather than real, because the enemy fleet is not prevented from doing what it set out to do; it broke its way out of the Corinthian Gulf and then forced its way back again.⁶⁷ Certainly it did nothing after breaking out, but this inactivity was presumably due to a difference of opinion between Cnemus and the *σύμβουλοι* whom the Spartan government sent out to advise him. Furthermore, the incident which follows the return of the Peloponnesian fleet to Corinth is interpreted in such a way as to reflect the least possible credit on the enemy. They are supposed to be meditating an attack on the Peiraeus; but, in fear and complaining of a non-existent contrary wind, they turned aside, captured the garrison on Salamis which was blocking the entrance to Megara, overran Salamis, and retreated when Athenian ships put in an appearance.⁶⁸ It is in itself likely that the Peloponnesians never intended to attack the Peiraeus but were merely intent on relieving the naval blockade of Megara. In this they were completely successful.

In his description of these incidents it certainly seems that Thucydides is completely under the influence of Athenian propagandist views, which encouraged the Athenians by representing enemy successes as failures and imputed the worst possible motive—cowardice—for their actions.

It is impossible to say how far the story of the siege of Plataea was romanticized, but it is unlikely that Thucydides describes it with entire accuracy. The behavior of the Athenians after the fall of Mytilene contrasts favorably with the behavior of the Peloponnesians after the fall of Plataea. It is not clear from the narrative of Thucydides which city fell first, but the savagery of the Spartans makes it seem almost certain that Plataea was the first to fall; they would not be so foolish as to challenge comparison with the clemency of the Athenian government after the fall of Mytilene.

At Plataea anti-Athenian propaganda met with no success; in all Lesbos except Methymna it was successful. To make the allies of Athens revolt was undoubtedly the main object of Peloponnesian propaganda, and it was for this purpose that their appeals to past history were useful. Thucydides records no instance of counter-

⁶⁷ ii. 84. 92.

⁶⁸ ii. 93-94.

measures taken by the Athenians until after the peace of Nicias, when the policy of Alcibiades was followed. The Peloponnesians, however, made the mistake of not giving sufficient help to the allies whom they incited to revolt; Alcibiades was anxious not to make this mistake, but the Athenian government gave him inadequate support.

Except for the years immediately preceding the outbreak of hostilities, the years 425 and 424 are the most interesting years in the whole war from the point of view of propaganda. The Athenians by this time had found out the value of defaming the enemy; and when Eurymedon and Sophocles set out for Sicily, they certainly intended to take advantage of what Spartan propaganda methods had taught them. They took with them forty ships to lend weight to their words, and there was every reason to hope that their campaign in Sicily would be profitable to the Athenian cause. But the more sensational event of the year 425 was the episode of Pylos.

Thucydides reports the speech made at Athens by the Spartan envoys seeking peace, and they are supposed to hold the view that the Athenians have all along been anxious to make peace. Actually, Cleon is merely following the methods of Pericles in refusing at any price. He has reached the conclusion that the enemy cannot be trusted,⁶⁹ and was perhaps the first public man in the war to be really abusive against them. Thucydides despises him for this but does not realize the value of his apparently stupid bombast. When reports arrive of the Athenian difficulties at Pylos, and people at Athens feel that they made a mistake in refusing peace, Cleon declares that the reports are false; he is probably sincere in thinking that the enemy have falsified them, in the hope that the Athenians will now make peace; but Thucydides does not interpret his behavior in this way.⁷⁰ His prejudice against Cleon has made it impossible for him to understand the situation. Cleon's methods may have been vulgar and in bad taste, but vulgar methods were needed to raise the spirits of the Athenians. The final success on Sphacteria had a very great moral effect in breaking the confidence of the Spartans.

Sparta won no striking success in 425; but the campaign in Thrace,

⁶⁹ iv. 22.

⁷⁰ iv. 27: Κλέων δὲ γνοὺς αὐτῶν τὴν ἐς αὐτὸν ὑπεροψίαν περὶ τῆς κωλύμενης τῆς ξυμβάσεως οὐ τάληθ' ἔφη λέγειν τοὺς ἐπαγγέλλοντας.

supported by skilful propaganda, entirely changed the situation. To the very end of the Archidamian War the Athenians showed themselves less active in propaganda methods, and few of their leaders seemed to realize how great an influence the enemy propaganda must be exercising among their less staunch allies.

A comparison of passages in Herodotus and Thucydides seems to reveal one remarkable effort by the Athenians to blacken the reputation of Sparta. It seems to show that some time about the year 423 they adopted a method of propaganda which their enemies had used with success in the first years of the war. There is a story told by Herodotus which bears a striking resemblance to an episode in the Coreyrean revolution as related by Thucydides. The account, attributed to the Argives, of the desecration by Cleomenes of the grove of the hero Argus is remarkably like the account in Thucydides of the final destruction of the oligarchs at Coreyra, which brought the revolution to an end.

Thucydides describes how the Athenian force, under Eurymedon and Sophocles, calling at Coreyra on its journey to Sicily, was responsible for the capture of a number of the Coreyrean oligarchs. These were kept in custody on the island of Ptychia, under the agreement that they would be sent to Athens for trial, unless they tried to escape, in which case the agreement would be canceled. The Coreyrean democratic leaders, afraid that at Athens these men might not be condemned to death, tricked some of them into making an attempt at escape and caught them in the act. This put them at the mercy of the Athenian generals, who, anxious to be rid of them, and in a hurry to sail on to Sicily, handed them over to the Coreyrean demos. They were then shut up in a large building, brought out in groups of twenty, and obliged to run the gauntlet of their personal enemies, who saw to it that none of them escaped alive. About sixty were killed in this way before those inside the building realized what was happening to their friends (because they were told they were being taken away to another prison); when they found out, they refused to leave the building or let anyone in. The mob accordingly climbed up onto the roof, stripped off the tiles, and, shooting arrows down into the building, killed many and forced the rest to commit suicide (Thuc. iv. 47-48).

According to the story for which Herodotus cites the authority of

the Argives, when Cleomenes attacked Argos, a number of Argives took refuge in the grove of the hero Argus; Cleomenes enticed a number of them to come out, pretending that money had been paid for their ransom, and put them to death; when those within the grove realized what was happening, they refused to come out; whereupon Cleomenes set fire to the grove and all the refugees perished (Herod. vi. 78-80).

It is unlikely that both stories are true. The story in Herodotus is supposed to be the Argive account of why Cleomenes came to a bad end, contrasted with the Spartan account that he lost his reason through drinking unmixed wine (vi. 84), the general Greek account that his madness was a punishment for bribing the Delphic Oracle (vi. 75), and the Athenian account that it was a punishment for desecrating the sacred inclosure at Eleusis (vi. 75). These stories were presumably invented some time after the death of Cleomenes, at a time when he had become a proper subject for popular legend. The "Athenian account" possibly was not invented till after the beginning of the Archidamian War, when it was circulated in order to nullify the good will that Sparta was winning throughout Greece by respecting the sanctity of Eleusis during the invasions of Attica. But the so-called "Argive account" (which was probably invented for the Argives rather than by them) was most likely not invented till after the end of the Corcyrean revolution, when the Athenians wanted to show justification for the discreditable part they had played by pointing to a similar instance of treachery on the part of Sparta. If they could show that Sparta's hands were as unclean as their own, the Corcyrean incident would be of no propagandist value to Sparta. Moreover, the behavior of Cleomenes is represented as worse in several ways: the Argives were refugees in a sacred place, the Corcyreans prisoners in an ordinary building; the Argives thought they had been ransomed, the Corcyreans merely thought their prison was being changed; some of the Argives were burned alive, a more cruel death than any of the Corcyreans suffered.

It does not necessarily follow that either the story about the Corcyreans or the story about Cleomenes at Argos is entirely true. To discover the real facts about these things is beyond the powers of historical investigation. But a comparison between the two stories,

as made in the previous paragraph, shows that the Corcyrean story originated earlier than the story about Cleomenes. When propaganda takes the form of charge and countercharge, the countercharge is always more severe than the original charge; it must be so, if it is to be effective as propaganda.

On several occasions Thucydides insists that he is impartial and claims for this reason to be a better historian than Herodotus. But he recognizes that it is impossible for him to be entirely impartial, though he may be much fairer to the enemy than Athenian popular opinion was inclined to be. He says he has tried to rise above such prejudice, but that to discover the actual truth is often difficult, if not impossible, even when he has been able to consult eye-witnesses. Certainly he has not accepted the accounts of every casual informant and has made every effort to obtain accurate information; but he has to admit that eye-witnesses vary in their accounts, through lapse of memory or prejudice.⁷¹ He has not the complete faith in eye-witnesses that Herodotus has. But, naturally, there are occasions when he has to choose between recording what he has been told or leaving a gap in the narrative. Such an occasion seems to have occurred when he was describing the troubles at Corcyra. His own very strong feelings about the evils of *στάσις* made it easier for him to believe accounts of the worst atrocities in connection with this revolution.

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⁷¹ i. 22: οἱ παρόντες τοῖς ἔργοις ἑκάστοις οὐ ταῦτ' ἀπὸ τῶν αὐτῶν ἔλεγον, ἀλλ' ὡς ἑκατέρων τις εἰκόλην ἢ μνήμης ἔχει.

THE DATE OF COMPOSITION OF THE ARGONAUTICA OF VALERIUS FLACCUS

BY ROBERT J. GETTY

AFTER four lines which set forth the theme of the *Argonautica*, Valerius Flaccus commences his poem with the following invocation, first of Apollo (vss. 5-7) and then of Vespasian.

Phoebe, mone, si Cymaeae mihi conscia uatis	5
stat casta cortina domo, si laurea digna	
fronte uiret; tuque o, pelagi cui maior aperti	
fama, Caledonius post quam tua carbasa uexit	
Oceanus Phrygios prius indignatus Iulos,	
eripe me populis et habenti nubila terrae,	10
sancte pater, ueterumque faue ueneranda canenti	
facta uirum. uersam proles tua pandit Idumen	
(namque potest): Solymo nigrantem puluere fratrem	
spargentemque faces et in omni turre furentem.	
ille tibi cultusque deum delubraque genti	15
instituet, cum tu, genitor, lucebis ab omni	
parte poli, neque erit Tyriis Cynosura carinis	
certior aut Graeis Helice seruanda magistris,	
tu si signa dabis. sed te duce Graecia mittet	
et Sidon Nilusque rates. nunc nostra serenus	20
orsa iuues, haec ut Latias uox impleat urbes.	

10 habenti X² O² M² N,¹ habent V (add.s.l. V² sua) S. 12 pandit VS, pandat Ald., pandet Gryphius. 13 potest X² II, potes VSC. 15 genti VS, gentis cod. Bon. 16 tu V² s.l. S. 17 erit Heinsius, in VS. Tyriis . . . carinis Friesemann, Tyrias . . . carinas VS. 19 tu si Bury, seu tu VS. sed Caussin, seu VS. (tu si . . . sed probat Housman ad Manil., i. 657).

In the year 1898 there was published at Amsterdam a doctoral thesis entitled *Quaestiones Valerianae* by W. Meerum Terwogt, Jr. (pp. 112).² Apart from a useful discussion of the Codex Carrionis, this treatise was concerned with the importance of the first twenty-

¹ μ is the Cesena MS (Cod. Malatest. plut. xii. 3). For this MS see my pamphlet, *The Lost St. Gall MS. of Valerius Flaccus* (Aberdeen, 1934), pp. 7-8, etc. X² O μ II are, of course, fifteenth-century apographs of S and MN of V.

² The title of the work is *Quaestiones Valerianae, specimen litterarium inaugurale quod . . . pro gradu doctoratus . . . in Universitate Amstelodamensi . . . submittit Willem Meerum Terwogt Jr.* (Amstelodami: Apud Y. Rogge, MDCCCXCVIII).

two lines of the *Argonautica* in aiding us to determine the date of composition. The pamphlet met with unmerited neglect from the moment of its appearance, and was ignored, apparently, by Bursian and the histories of Latin literature, including that of Schanz. Nor was it listed even in Giarratano's carefully compiled *Index scriptorum ad Valerium Flaccum pertinentium*, with which he prefaced his edition six years later. As I have never seen any allusion to this important work in any discussion of Valerius, I have thought it worth while to restate and supplement Meerum Terwogt's important conclusions, especially since attempts have been made recently, as we shall see later, to depart from the traditional dating of the poem and of the life of Valerius.

Is the *ille* of verse 15 Titus or Domitian (who is the *proles tua* of verse 12)?³ Upon this point commentators have always been divided, but I feel convinced that Titus is meant. Langen, who knew this, declared, however, that *ille* is used here not of the person more remote in the context, but of the person more remote in the thought; but his explanation that Titus is more remote in thought because he had not yet returned to Rome from Palestine is due to the traditional view, for which there is absolutely no warrant, either in the passage quoted above or in the rest of the poem, for the belief that Valerius began the *Argonautica* a little after A.D. 70. Meerum Terwogt⁴ rightly rejected this opinion, while maintaining that there is no grammatical difficulty in assuming that *ille* should refer to *nigrantem puluere fratrem* and not to *proles tua*; but he could prove his point only by citing several examples of laxity in the use of *hic* and *ille* from Cornelius Nepos. These are hardly adequate, and do not carry conviction.

The nominative *ille* very frequently in verse represents not the principal subject, but, on the contrary, either the object, or a noun in an oblique case, or a subordinate subject in the preceding clause, and at the same time is clearly used for the express purpose of stressing the alteration of the subject of the preceding clause. In

"quo diuersus abis?" iterum "pete saxa, Menoete!"
cum clamore Gyas reuocabat, et ecce Cloanthum

³ For Domitian as a poet see Quintilian x. 1. 91-92; Tac. *Hist.* iv. 86; Suet. *Dom.* 2.

⁴ Pp. 20-24.

respicit instantem tergo et propiora tenentem.
 ille inter nauemque Gyae scopulosque sonantes
 radit iter laeuom interior,⁵

ille is not Gyas or Menoetes, but Cloanthus. In the following passage from the *Argonautica*,

protinus Inachiis ultro Tirynthius Argis
 aduolat, Arcadio cuius flammata ueneno
 tela puer facilesque umeris gaudentibus arcus
 gestat Hylas: uelit ille quidem, sed dextera nondum
 par oneri clauaeque capax,⁶

ille is not Hercules, the subject of the principal clause immediately preceding 110, but Hylas, the subject of the subordinate clause, and denotes that the subject is now changed from Hercules to Hylas.

An apt parallel for our present passage from Valerius is

spes tamen, his fando si nuntius exstitit oris
 et Mariandynum patrias penetrauit ad urbes,
 unde genus fraterque uiro—sed et ille quierit
 oro nec uanis cladem Lycus augeat armis,⁷

where *ille* (Lycus) is the *frater* of Otreus (*uiro*), whose story the speaker Dymas has just been telling to the Argonauts. So *ille* in i. 15 is also the *nigrantem puluere fratrem* (i.e., Titus) for no other reason than that it is the natural pronoun for the poet to use.

Titus then, says the poet, will set up *cultus deum* in honor of Vespasian, and *delubra* to the glory of the *gens*. Unanimous agreement as to the meaning of *genti* has never been attained. Pindemonte's interpretation "where the people may worship thee," which Giarratano follows, will scarcely do; and Burman's belief that the *gens Iudaica* is meant is equally far-fetched. Haupt, followed by Schenkl, Bährens, and Langen, proposed *centum* unnecessarily. Nicholas Heinsius gave his authority to *gentis*, the reading of the Codex Bononiensis, though he did not foresee that this humanistic emendation would be seized upon so eagerly by editors and others who, in their belief that *ille* is Domitian, were only too anxious to think that the reference is to the well-known *Templum Gentis Flaviae*. This temple is alluded to

⁵ Verg. *Aen.* v. 166-70.

⁶ i. 107-11, cited by Langen.

⁷ iv. 170-73.

by Suetonius,⁸ as well as by Statius and Martial. It was probably consecrated in 89 and finished by 94.⁹

The inept explanations of editors and commentators will be discussed presently, but the aim of this paper is to arrive at the truth before considering the errors of others. *Ille* is Titus, and accordingly Domitian's *Templum Gentis Flaviae* cannot be meant. Furthermore, the text is perfectly sound.

Apart from Meerum Terwogt,¹⁰ no scholar has yet declared that Valerius was referring definitely to the *Templum Divi Vespasiani*, which was begun, probably in 80, by Titus after he became *princeps*, was completed by Domitian, and was called by him the *Templum Vespasiani et Titi*.¹¹ Heinsius, however, did point out that this temple was to be distinguished from Domitian's *Templum Gentis Flaviae*. Meerum Terwogt did not expressly set out to explain why Valerius should refer to a temple raised by Titus in honor of Vespasian alone as *delubra genti* (a shrine in honor of Vespasian's *gens*), but, as the old emperor was confident that he was the founder of a dynasty,¹² this was a natural compliment to pay both Vespasian and his son Titus.

What, then, is the allusion in *ille tibi cultusque deum . . . instituet*? Earlier editors like Heinsius, Burman, and Caussin were content with the statement that the deification of Vespasian by Titus is meant, and quoted Plin. *Paneg.* 11 as a parallel reference to this fact, but Meerum Terwogt¹³ seems to be the only scholar who has pointed out

⁸ *Op. cit.* 1, 5, 16, 17.

⁹ For the *Templum Gentis Flaviae* and its literature see Platner and Ashby, *A Topographical Dictionary of Ancient Rome* (Oxford, 1929), p. 247, and S. Gsell, *Essai sur le règne de l'Empereur Domitien*, p. 114.

¹⁰ Pp. 44-53.

¹¹ See Platner and Ashby, *op. cit.*, p. 556, and Gsell, *op. cit.*, p. 102. Meerum Terwogt (p. 48) thought that Suet. *op. cit.* 15, *Tactum de caelo Capitolium templumque Flaviaeque gentis, item domus Palatina*, etc., was not, like *ibid.* 1, 5, and 17, a reference to Domitian's *Templum Gentis Flaviae*, which was on the Quirinal hard by the present Via delle Quattro Fontane, but to this temple, which was, of course, between the Tabularium and the Clivus Capitolinus.

¹² Suet. *Vesp.* 25: "Conuenit inter omnes, tam certum eum de sua suorumque genitura semper fuisse, ut . . . ausus sit adfirmare senatui aut filios sibi successuros aut neminem." At the same time Vespasian was so far from being vainglorious about his ancestry that we find the following statement: "Quin et conantes quosdam originem Flauii generis ad conditores Reatinos comitemque Herculis . . . referre irrisit ultro." This shows that even in his lifetime attempts were made to connect the *gens Flavia* with the early age.

¹³ Pp. 34-35.

that *cultus deum* refers to the duties of the college of *sodales Flaviales* set up after the death of Vespasian by Titus.¹⁴

It is now seen that, although the invocation is everywhere addressed directly to Vespasian, special mention is made of Titus (vss. 12-16), whose war in Palestine was a worthy theme for his brother to celebrate in verse, and the fact that this poem is now being composed (vs. 12) is all the reference we have to Domitian. Now Valerius might have predicted in Vespasian's lifetime that Titus would deify his father, but Meerum Terwogt¹⁵ believed that the mention of the *delubra* or *Templum Vespasiani* is so explicit that we cannot admit the poet to have been thus extraordinarily prescient of an event which did not take place until A.D. 80. The obvious conclusion is that the *Argonautica* was not commenced, or at any rate that the invocation was not composed, before this date, and Meerum Terwogt¹⁶ pointed out rightly that the language of the whole passage is more fitting for a dead emperor who is about to be enrolled among the gods than for a living one, for whom these expectations are still to be realized. Verses 16-20 commemorate no exploit of Vespasian when he was alive, but look forward to his place in the celestial regions when he becomes a constellation to guide mariners.¹⁷ Then the adjective *serenus* is more apt for a god than for a mortal, although it is true that Martial¹⁸ applies it to Domitian, who is alive, in his character of *serenus Iuppiter*. But it must be remembered that Domitian was only too anxious to anticipate on earth the divine glories which would normally have awaited him after death.

Furthermore, this view is certainly countenanced by the way in which Vespasian is addressed in verses 7-12, the thought of which is repeated in verses 20-21, for he is addressed immediately after Apollo, with a similar request. *Eripe me populis et habenti nubila terrae, sancte*

¹⁴ Meerum Terwogt cited Marquardt, *Römische Staatsverwaltung*, III, 463 ff.; see also Beurlier, *Essai sur le culte rendu aux empereurs*, p. 87. Evidence for the college of *sodales Flaviales* is to be found in inscriptions and in Suet. *Dom.* 4, *adsidentibus Diali sacerdote et collegio Flavialium*, where the note of Janssen (in his edition of the *Vita Domitiani*, published at Groningen in 1919) will repay consultation. On the death of Titus, the name of this body was altered by Domitian to *sodales Flaviales Titiales*.

¹⁵ Pp. 52-53.

¹⁶ Pp. 25-33.

¹⁷ This is no inappropriate compliment at the beginning of an *Argonautica*.

¹⁸ ii. 24; v. 6; ix. 24.

pater (vss. 10–11) is a petition obviously made to a god and not to a mortal.¹⁹ The one reference to an exploit of Vespasian on earth is that to his British expedition, and this is again most appropriate for a poem about the earliest mariners. Meerum Terwogt²⁰ went on to argue that, on account of the well-known animosity between Titus and Domitian, Valerius in order to avoid giving offense to either brother preferred to address his invocation particularly to their dead father, and to make only a passing but honorable mention of the two sons. The duty of Titus was to consecrate his father's memory, and that of Domitian, who at this time had done little of note except write poetry, to sing of his brother's most glorious exploit in the field. When the invocation is read over again in the light of this hypothesis, the supreme tact of Valerius must be recognized.

It will be observed that I have followed Meerum Terwogt's example and rejected in verse 12 *pandet* in favor of the reading of the manuscripts. *Pandet* has persisted unchallenged in texts of Valerius since it first appeared in the edition of Gryphius and since the day when Gronovius gave it his approval. There is not the slightest reason to suppose that in 80 Domitian had not already begun his poem on the Jewish War.²¹ If the reading of the manuscripts is altered, it should be in favor of the Aldine *pandat*. *Pandat* is a good emendation; *pandet* is an unnecessary one, and probably erroneous as well.

The hope may also be expressed that henceforward we may be spared from commentators and historians of Latin literature the false statement, for which we have no warrant, that the *Argonautica* was

¹⁹ Meerum Terwogt (in a footnote on p. 56) pointed out that, though Lucan (i. 44–65) and Statius (*Theb.* i. 22–33) address Nero and Domitian, respectively, as future denizens of heaven, they are careful to add that they hope a long time will elapse before the translation will take place. See Lucan i. 45, *Te cum statione peracta astra petes serus*, and cf. Statius *Theb.* i. 24–30. Valerius expresses no similar wish.

²⁰ Pp. 29–33.

²¹ Meerum Terwogt (pp. 11–20) argued with Rutgers and Schenkl that Domitian composed the *Aratea*, which is usually ascribed to Germanicus, and stressed in support of his belief the importance of passages where Valerius makes astronomical allusions or seems to be otherwise indebted to this poem. The composition of the *Aratea* and of the poem *De bello capitolino* would occupy most of the reign of Vespasian, and Domitian probably had turned only a short time before to the theme of the *bellum Iudaicum*. The *De bello Iudaico*, in fact, may not have been finished when Titus died. But these speculations of Meerum Terwogt are not necessary to his main thesis, as we have no sure ground for dating the composition of the last-mentioned poem.

begun soon after 70. Those who have at the same time imagined that *ille* is Domitian were reduced to the supposition that the invocation was revised well on in the reign of that emperor,²² though in some cases no idea that there was any difficulty ever seems to have entered their minds. Others again like Schenkl and Bährens were constrained to accept an emendation of *genti* in order to avoid the difficulty they themselves conjured up. We have also noticed the liability to error of those who knew that *ille* is Titus, but who were so unaware of the historical allusions of verse 15 that they fell into one of two errors; for they either misunderstood the meaning of *genti* or tried to emend it, as did Langen, who borrowed the *centum* of the "*ille*-Domitian" school.

In the *Classical Quarterly* of 1929²³ there appeared an important paper entitled "The *Argonautica* of Valerius Flaccus" by Mr. Ronald Syme. From vi. 161-62 and 231-38, where the poet alludes to the Sarmatians as heavy-mail-clad warriors armed with *conti* or long lances, Mr. Syme inferred that "Valerius Flaccus had got no further than the sixth book of his *Argonautica* in 89 or even in 92." Another point made in this useful article is that vi. 402-6 is a reference to the revolt of Antonius Saturninus, commander of the army of Upper

²² Of such suppositions that of Dureau de Lamalle (I, 101) may serve as an example: "... il est clair qu'il faut entendre *genti* de la famille des Flavius, ainsi que l'ont pensé Masérius et Pius, et non pas des Juifs, comme le veulent Heinsius et Burmann. Mais comment, disent ceux-ci, Valérius a-t-il pu deviner que Domitien succéderait à Titus, que ce serait Domitien qui élèverait ce temple? Comment Valérius n'aurait-il pas craint de blesser Titus, en prophétisant que de son vivant Domitien serait son successeur à l'empire? La réponse est facile. Certainement le poème de l'*Argonautique* fut commencé du vivant de Vespasien, comme le montre l'invocation; mais un passage du troisième chant, où il est parlé de l'éruption de Vésuve, laquelle n'arriva que sous Titus, et à laquelle Titus ne survécut pas long-temps, prouve que la plus grande partie du poème fut composée sous Domitien. Or, ce n'était plus Titus qu'il importait à l'auteur de ménager, puisqu'il était mort, mais bien l'ombrageux Domitien, qui toute sa vie s'était montré l'implacable ennemi de Titus, et qui sous le principat de son frère n'avait cessé de tramer des complots pour lui enlever l'empire. Qui ne voit que Valérius, dont l'ouvrage avait de son vivant une grande célébrité, qui, suivant l'usage de tous les poètes de ce temps, en avait fait des lectures publiques; qui ne voit, dis-je, que Valérius, pour ne pas se compromettre avec Domitien, a dû éviter avec soin tout ce qui pouvait réveiller sa jalousie contre son frère; et qu'il a dû ajouter après coup ce vers, qui sans bassesse pouvait flatter la vanité d'un tyran qu'il lui importait de ménager?" (*Argonautique* ... traduit en vers français par M. Adolphe Dureau de Lamalle [Paris 1811].)

²³ XXIII, 129-41.

Germany, in 89, whereas previous scholars who noticed the passage, like Peters,²⁴ thought it was an allusion to the turbulent years 68 and 69. After a careful consideration of Mr. Syme's discussion, I cannot but agree that Valerius was composing his sixth book in 89. But in his attempt to fix the time when the poem was begun, about the year 78, Mr. Syme employed arguments which rest on *ille* in i. 15 being Domitian and *delubra gentis* (*sic*) the *Templum Gentis Flaviae*,²⁵ although it is a relief to find that he rejected the old belief that the *Argonautica* was begun soon after 70. Mr. Syme, like so many of his predecessors, was forced to reconcile the imaginary allusions in the same passage to the living Vespasian and to the building of the *Templum Gentis Flaviae* ten years after the Emperor's death, and he did so in the following words: "Valerius may well have preferred a more indirect method—to pretend that the proem was written under Vespasian, and, subtly foreshadowing future things, gain credit for having seen even then that it was Domitian who was to be the true successor. That he should have done this would make it probable that he had actually begun the composition of the *Argonautica* when Vespasian was still alive."²⁶ The awkwardness inherent in this assumption requires no comment.

The date when Valerius was cut off by premature death, leaving the eighth book unfinished, was assumed to be 94/95 by Mr. Syme, who depended upon Vollmer's theory²⁷ regarding the date of publication of Quintilian's *Institutio oratoria*. Even if for no other reason than that a period of five years is a disproportionate time for Valerius to spend over his remaining one and a half books, I prefer to think that the poet died about 92/93. This date would suit the views of scholars like Peterson²⁸ regarding the time when the *Institutio oratoria* was published.²⁹

²⁴ Joannes Peters, *De C. Valerii Flacci vita et carmine* (Königsberg, 1890), p. 10, n. 1.

²⁵ Köstlin (*Philologus*, XLVIII [1889], 650) was not the first, as Mr. Syme apparently thought (*op. cit.*, p. 136, n. 1), to imagine that the *Templum Gentis Flaviae* was meant.

²⁶ *Op. cit.*, p. 136.

²⁷ *Rhein. Mus.*, XLVI (1891), 343 ff.

²⁸ I.e., between 93 and 95. See *Institutionis oratoriae liber decimus*, ed. W. Peterson (Oxford, 1891), p. xiv.

²⁹ In *Rivista di filologia*, LXII (1934), 474–81, there is also an article entitled *La data di composizione della "Argonautica" di Valerio Flacco* by Professor Kenneth Scott. In spite of too summary a rejection of the view that *ille* is Titus (a view which not

If we assume, then, that the *Argonautica* was begun *ca.* A.D. 80, and that Valerius died suddenly *ca.* A.D. 92/93, the difficulties which have perplexed so many scholars for centuries will disappear, and the literary activity of the poet will be seen to be in close chronological relationship with that of Statius and Silius Italicus, between whom and Valerius there existed, as is now recognized, a considerable amount of mutual borrowing.³⁰

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Kramer only, as he thought, but half-a-dozen other editors since Carrio in 1565 held), and his consequent assertion that the poem at least, if not the whole poem, was written under Domitian, Mr. Scott independently arrived at practically the same conclusion as Meerum Terwogt in pointing out that the deified Vespasian was in the mind of Valerius when the invocation was composed.

³⁰ I am exceedingly grateful to my senior colleague, Professor J. F. Mountford, for kindly reading through the typescript of this paper and making numerous helpful suggestions.

POSSIBLE GREEK BACKGROUND FOR THE WORD *REX* AS USED IN PLAUTUS

PHILIP W. HARSH

THE word *rex* frequently has the meaning of "rich" or "great man" in Plautus and later Latin. It is often applied to the patron of a parasite. Eduard Fraenkel contends that the Greek word βασιλεύς did not have this meaning in Athens during the period of New Comedy, and that it was not used to refer to the patron of a parasite.¹ Accordingly, he concludes that certain passages where *rex* or similar words are so used in Plautus are purely Roman in origin.² Two pertinent passages are the following:

si rex opstabit obuam, regem ipsum priu' peruortito [*Stich.* 287].

nec <usquam> quisquamst tam opulentus, qui mi opstat in uia,
nec strategus nec tyrannus quisquam nec agoranomus
nec demarchus nec comarchus nec cum tanta gloria,
quin cadat, quin capite sistat in uia de semita [*Cur.* 284-87].

It is clear, Fraenkel points out, that these terms are used merely of great men in general, that the latter passage contains a list of rulers and officers which form a combination impossible in a single given city, and that the former passage mentions a king, though none existed (at Athens). In short, the *rex* in the *Stichus* is no more real than the *tyrannus* in the *Curculio*.³ In Fraenkel's opinion, both passages are original with Plautus.

¹ *Plautinisches im Plautus* (Berlin: Weidmann, 1922), pp. 189-97; cf. Fredershausen, *De iure Plautino et Terentiano* (Göttingen, 1906), p. 60 (cited by Fraenkel and by Legrand, *Daos* [Lyon and Paris, 1910], p. 99, n. 8).

² The passage from the *Curculio* is considered Plautine on still other grounds by Fraenkel (pp. 130-34) and by Leo, *Gesch. d. röm. Lit.* (Berlin: Weidmann, 1913), pp. 142, 146.

³ Fraenkel (p. 191, n. 1) cites Hüffner's opinion that in *Stich.* 287 there is a play on Demetrius Poliorcetes (Hüffner, *De Plauti com. exempl. Att. quaest. max. chronol.* [Göttingen, 1894], p. 46). Certain it is that real kings were seen on the streets of Athens during the age of Menander, and Athens was in fact ruled by kings (Alexander and his successors). Cf. Philemon 58K; Antiphanes 81K. The scenes of these plays are unknown. In the fragment of Antiphanes, a parasite (cf. 80K) may possibly be toasting his patron, calling him his king, but there is no evidence to support such a hypothesis, and editors now usually refer the title to Alexander the Great.

But from Menander himself come these lines (538K, 1-6):

ὅταν εἶδέναι θέλῃς σεαυτὸν ὅστις εἶ,
 ἔμβλεψον εἰς τὰ μνήμαθ' ὡς ὁδοιπορεῖς.
 ἐνταῦθ' ἔνεστ' ὅστ'α τε καὶ κούφη κόνις
 ἀνδρῶν βασιλέων καὶ τυράννων καὶ σοφῶν
 καὶ μέγα φρονούντων ἐπὶ γένει καὶ χρήμασιν
 αὐτῶν τε δόξῃ καὶ κάλλει σωμαίων.

Here the phrase ἀνδρῶν βασιλέων καὶ τυράννων is used in just as vague and generalized a manner as are *rex* and *tyrannus* in the foregoing passages from Plautus.⁴ Even *cum tanta gloria*, which Fraenkel rightly emphasizes, is paralleled here by δόξη, etc. "Fantastic" lists also are found in Menander, such as *Colax* 75-77 (Jensen), with which may be compared Diphilus, 24K, though the contexts of these passages are not limited to any one city, as, according to a literal interpretation, the context of *Cur.* 284-87 is limited.

Again, Fraenkel (192; cf. 132) thinks that the use of *rex* in *Capt.* 825 plays upon the use of *rex* to refer to the patron of a parasite: "non ego nunc parasitus sum sed regum rex regalius. . . ."⁵ This line, however, is strikingly similar to a passage in Lucian (*Paras.* 23 [855]) where a parasite calls his profession ἡ βασιλικωτάτη τῶν τεχνῶν, and describes himself ὡς βασιλεὺς κατακείμενος (cf. *accubabo regie* [*St.* 377]). Would not consistency force Fraenkel to conclude that Lucian, also, is playing upon the use (hypothetical) of βασιλεὺς to refer to the patron of a parasite? Similar to *Capt.* 825 are also the lines of Alexis (116K, 1-5):

δύ' ἐστὶ, Ναυσίνικε, παρασίτων γένη·
 ἐν μὲν τὸ κοινὸν καὶ κεκωμωδημένον,
 οἱ μέλαρες ἡμεῖς. θάτερον ζητῶ γένος,
 5 σεμνοπαράσιτον ἐκ μέσου καλούμενον,
 4 σατράπας παρασίτους καὶ στρατηγούς ἐπιφανεῖς. . . .

⁴ Cf. Cicero *De fin.* iv. 7.

⁵ The proverbial wealth of rulers—a commonplace in both Greek and Latin literature—makes it likely that the use of *rex* to refer to the patron of a parasite is simply a particular application of the wider meaning of "rich" or "great man." Thus, *Capt.* 825 (cf. Plautus *Colax*, frag. 2, which, in the opinion of Fraenkel, perhaps contains a similar play on the meaning *Brotherr*), is certainly parallel to *Rud.* 931, though this last passage is spoken by a slave, not a parasite. Cf. Petronius 38. 15; 77. 6.

Noting the similarity between *σατράπης* as here used and *rex* in Plautus, we immediately recognize the possibility that Plautus may have translated various Greek terms, such as *βασιλεύς* or *σατράπης*, by the one Latin word *rex*, a possibility which Fraenkel has entirely ignored, though such translation would be quite in accord with the practices of good translators of any language. Besides, various words denoting rulers are confused in Greek itself, as *βασιλεύς* is often confused with *τύραννος*,⁶ sometimes with *σατράπης*.⁷

In addition to the passage from Menander quoted above (538K), *βασιλεύς* occurs elsewhere with the meaning of "rich" or "great man," and practically synonymous with *σατράπης*. So Pseudo-Phocylides (109-13 [Diehl]):

- 109 Πλούτου μὴ φείδου . . .
 111 . . . ψυχῶν δὲ θεὸς βασιλεύει.
 κοινὰ μέλαθρα δόμων αἰῶνια καὶ πατρὶς Ἄιδης,
 ξυνὸς χώρος ἅπασι, πένησί τε καὶ βασιλεῦσιν.⁸

Also in Lucian (*Gallus* 20 [732]; cf. *Nigr.* 20 [58]): *Εἶτα βασιλεύς, εἶτα πένης, καὶ μετ' ὀλίγον σατράπης, . . .* Compare Horace (*Od.* ii. 14. 9-12):

- 9 . . . unda, scilicet omnibus . . .
 11 enaviganda, sive reges
 sive inopes erimus coloni.

It is interesting to note that the general thought is the same in the passages from Menander (538K), Pseudo-Phocylides, and Horace—

⁶ Cf. Eupolis 123K with Kock's commentary; W. Hüttl, *Verfassungsgesch. von Syrakus* (Prag, 1929), pp. 58-59. Fraenkel (p. 197) himself points out that *τὴν τύραννον* in Euripides *Hec.* 816 seems to be parallel to *regina* in Pacuvius 177R.

⁷ Cf. Aeschylus *Per.* 24, 44; Dittenberger, *Sylloge*³, 22; Hesych.: *σατράπης* ὁ βασιλεύς. Both words are used also as cult-titles of gods (cf. *IGRom.*, III, 1059 [Maad, 8BC]).

⁸ Cf. Homer *Od.* i. 394. It is interesting to speculate on the nature of the play by Nicostratus entitled *Βασιλεῖς*. This play contained a *miles gloriosus* (Athenaeus vi. 230d), a character often accompanied by a parasite. The close association of *rex* and *regina* with *regere* (cf. Fraenkel, pp. 196-97) finds an approximate parallel in such phrases as . . . τοῖς τῶν πόλεων βασιλεῖς νόμους (Aristotle *Rhet.* iii. 3. 3 [1406a]). Cf. the common *βασιλεὺς τῶν μελιττῶν*, translated *rex apium* (or *dux* [Horace *Epist.* i. 19. 23]). Homer is ὁ τῶν ποιητῶν . . . βασιλεύς (Athenaeus ii. 40a). Cf. Hermippus 46K; Demianczuk, *Supplementum Comicum*, ades. 38; Ion of Chios 1. 12 (Bergk, *PLG*); Lucian *Icaromen.* 14 (768); *Rhet. Praec.* 11 (13); Athenaeus vii. 289d.

that Death is the great leveler of all. The contrast between βασιλείς and πένητες is precisely equivalent to that between *reges* and *inopes* in Horace (cf. Plautus *Stich.* 133), and makes evident the generalized meaning of βασιλείς. That the wealth of all rulers was proverbial is evident from many passages. The following one from Alexis, referring to fishmongers, is noteworthy (200K, 2-4):

... πῶς ποτ' οὐχὶ πλούσιοι
ἄπαντές εἰσι λαμβάνοντες βασιλικούς
φόρους. . . .

The use of βασιλικός here is similar to the use of *basilicus* in Plautus (e.g., *basilico accipiere uictu* [*Per.* 31]), a usage of which, according to Fraenkel (194), the remains of Greek comedy do not show the slightest trace. That *basilicus* was thoroughly familiar in Latin seems clear from the hybrid *subbasilicanus* (*Capt.* 815). Again, Plautus may have translated various Greek words such as βασιλικός, τυραννικός, and σατραπικός by the one word *basilicus*. One may note that *basilicus* would have the same foreign color at Rome that σατραπικός had at Athens. Crates (2K) uses βασιλειον to identify an unguent, and Amphis (27K) uses βασιλική with an incense—*mindax*. In Athenaeus this adjective (βασιλικός) is found applied by various authors to a water (ii. 43a), a nut (ii. 54a; xiii. 577 f [Macon]), an eel (ii. 71b), and a cockle or oyster (iii. 87b, 90c). Certain figs are called ὀπωροβασιλίδας (iii. 75d), σῦκα βασιλεια and τὰς βασιλίδας ἰσχάδας (iii. 76 f). This last passage is based upon Philemon's *Attic Lexicon*, thus stamping the usage as unquestionably Attic.⁹ The forms employing βασιλῖς are especially interesting. Fraenkel (189, 197) emphasizes the rarity of the title "queen" at Athens. But the wife of the *archon basileus*, of course, was called queen ([Demosthenes] lix. 74 [1370]; Pollux viii. 90). In Aristophanes' *Birds* (1536 and *passim*; cf. Cratinus 393K), Βασιλεια

⁹ Cf. . . . τὰς σατραπικὰς ἐκείνας καὶ πολυχρόστους δωρεὰς . . . (Alciphron iv. 11. 4); . . . τὴν τυραννικὴν φακὴν . . . (Demetrius 1K). With *ego basilicus sum* (*Rud.* 431) cf. Alciphron iv. 19. 18. For further uses of the adjectives cf. Galen xii. 601; Hesych., s.v. βασιλειον; Aristophanes, frag. 108. 2; schol. on Ar. *Peace* 1078.

These examples, and those cited in the text, do not furnish parallels for all the usages of Plautus, especially the adverbial usages (but cf. Lucian *Icaromen.* 14 [768]). Some allowances must be made for differences in idiom.

is introduced to be the consort of Pisthetaerus, and elsewhere in Aristophanes, the epithet "queen" is applied to Demeter (*Frogs* 383) and to Irene (*Peace* 974). Besides, the bracketing of the titles "king" and "queen" is certainly natural and common in any language, and such bracketing cannot be used as a criterion of Roman originality, as Fraenkel (188-90) uses it (cf. Homer *Od.* xiii. 59-62; Aeschylus *Per.* 151-52).

Turning now to *σατράπης*, we find that Gellius says (x. 18. 2): "Mausolus autem fuit, ut M. Tullius ait, rex terrae Cariae, ut quidam Graecarum historiarum scriptores, provinciae (graece) praefectus, *σατράπην* Graeci vocant."¹⁰ The word *satrapa* does not occur in Cicero's speeches or philosophical writings or in Plautus, perhaps being objectionable as an obviously foreign word, although Terence (*Hea.* 452: *satrapes*) uses it with the meaning of "rich man." It would seem, however, that the proper Latin translation of *σατράπης* in such contexts as *Hea.* 452 is *rex*, not *satrapa*, and it is quite possible that Plautus would have so translated it.

Just as *rex* is a legitimate translation for *σατράπης*, so it may also be used for *τύραννος* in certain contexts, since these words are confused by the Greeks themselves, and since the Latin *tyrannus* and *tyrannicus* usually have the unpleasant connotation of their English derivatives, although in the two passages where *tyrannus* is read in Plautus (*Cur.* 285; *Pseud.* 703) it has no such connotation. Plautus does not use the adjective, *tyrannicus*, and, as a problem in translation, we may speculate on the proper Latin for the following lines of Sophocles (*An.* 1168-69—the messenger is philosophizing):

πλούτει τε γὰρ κατ' οἶκον, εἰ βούλει, μέγα
καὶ ζῇ τύραννον σχῆμ' ἔχων. . . .

It is altogether possible that Plautus might have used *basilice* in translating such a passage. Incidentally, the association of wealth with *τύραννον σχῆμ'* (cf. Philetaerus 4K) and the generalized meaning are noteworthy.

Rex might conceivably be used to translate a few other Greek

¹⁰ But it is possible that Mausolus was called *βασιλεύς* in some Greek authors. Cf. Lucian *Dial. mort.* 24 (429); Pliny *NH* xxxv. 93.

words, such as *δεσπότης*,¹¹ *δυνάστης*,¹² *κύριος*,¹³ and *ἄναξ*.¹⁴ The use of *κύριος* in Late and Modern Greek as a means of polite address is noteworthy, since this use doubtless originated in flattery.

As Fraenkel (192) points out, the patron of a parasite is usually referred to as *ὁ τρέφων* in Greek, but there is various evidence to show that more colorful appellations were used. We should certainly expect this to be the case in direct address. A patron of a parasite is called his *δεσπότης* in a fragment of Crobylus (1K) and in Alciphron (iii. 26. 2). We learn from Lucian (*Paras.* 47 [872]) that a patron might call his parasite his *θεράπων* (cf. Diphilus 97K). More striking, however, is the following: *Ἀντώνιον μέγαν κάμμητον Ἀφροδίσιος παράσιτος τὸν ἑαυτοῦ θεὸν καὶ εὐεργέτην. . .*.¹⁵ Both *θεός* and *εὐεργέτης* were frequently applied to kings and emperors, and this inscription may possibly reflect a practice of parasites to flatter their patrons by calling them their kings: it would be no great compliment to address Antony, consort of Cleopatra, as king—though he was not, in fact, a king;¹⁶ Aphrodisius, accordingly, resorted to these grander appellations. At least, this inscription proves beyond any doubt that parasites did address their patrons in grand and flattering terms.

We may recall that the parasites of certain kings were famous, such as Phormio, the parasite of Seleucus, and that those of certain satraps were equally so, such as Gryllion, the parasite of the satrap Menander

¹¹ This word is used of tyrants (Plato *Leg.* 859a), kings (Alciphron iv. 16. 1), emperors and empresses of Rome, and of gods and goddesses (cf. Euripides *Hip.* 88).

¹² Cf. Diphilus 24K.

¹³ *κύριος* is used of gods and goddesses, deified rulers, and of rulers in general, including Roman emperors (cf. New Liddell-Scott).

¹⁴ A king might be called *ἄναξ βασιλεὺς* (Aeschylus *Per.* 5) or merely *ἄναξ* (*ibid.* 787). The sons and brothers of the kings of Cyprus (presumably) were called *ἄνακτες*, the sisters and wives *ἄνασσαι* (Aristotle, frag. 526 [Rose]), while certain flatterers in Cyprus (parasites; cf. Athenaeus vi. 248d), acting as secret police, reported to those who were called *ἄνακτες* (Clearchus in Athenaeus vi. 256a), i.e., perhaps, to the sons and brothers of the kings. The Roman emperors were sometimes called *θεοὶ ἄνακτες* or *ἄνακτες*. Cf. *IG*, XIV, 2012A, 11–12 (vicinity of Rome); IV, 1475 (Epidauros); *Pap. Giss.* iii. 3–4, ed. Kornemann-Meyer (Leipzig, 1910–12).

¹⁵ W. Dittenberger, *Orientis Graeci inscriptiones selectae* (Leipzig: Hirtzel, 1903), No. 195 (33BC). One may note, however, that a fragment of Crito (3K, 8) calls the Delians parasites of the god.

¹⁶ Cf. Dittenberger, *ibid.*, commentary.

(cf. Athenaeus vi. 244f-45a). Accordingly, parasites of lesser men might very naturally have acquired the practice of flattering their patrons by calling them their kings. Even Fraenkel (193 n.) admits that it is possible, but not probable, that during the first of the third century βασιλεύς came to be used in this way. As Fraenkel intimates, little pertinent evidence survives from this period. Such use of βασιλεύς would be an instance of the tendency, found in both Greek (though Fraenkel [97] is doubtful of its existence in Greek) and Latin, to employ such expressions as ὁ θεός μου, ἡ Ἀφροδίτη μου, *Venus nostra*, etc.¹⁷

Thus it becomes evident that βασιλεύς has a wider series of meanings than Fraenkel admits, including meanings equivalent to those of *rex* when used of the rich or great. It also appears likely that parasites may have used βασιλεύς when referring to or, especially, when addressing their patrons. These uses of *rex* in Plautus, therefore, do not constitute a sound criterion for determining Plautine originality.

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¹⁷ Cf. Alciphron iv. 14. 3; Athenaeus vii. 289; cf. Prescott, *TAPA*, LXIII (1932), 116-18.

NOTES AND DISCUSSIONS

XANTHIAS AND HERAKLES

In the *Frogs* of Aristophanes the slave Xanthias accedes to the request of Dionysus that he take the lion's skin and club of Herakles, and pose as the hero. Dionysus predicts that this Herakleioxanthias will prove to be the whipped slave from Melite.¹ Since there was a famous cult of Herakles in the deme Melite, and Xanthias has assumed the attributes of the hero, the point of the prediction seems to be that Herakles had at some time received a whipping, either at his initiation into the lesser mysteries in Melite or during his service as a slave at the court of Omphale. Kock, however, noting the reference to Callias in verse 428, believes that Aristophanes is here taking another fling at him, especially since Callias lived in Melite;² but the term *μαστιγίας* could not be applied so appropriately to Callias, who was not a whipped slave, as to Herakles, who had been, and to Xanthias, who was about to be whipped while disguised as Herakles.

The name *Ξανθίας*, which occurs several times in Aristophanes, is derived from *ξανθός*, "yellow," and denoted a flaxen-haired slave. The comic poet may here be playing upon an assumed derivation from *ξαίνειν*, "to card," as if the name were formed from the aorist passive *ξανθείς*. Slaves not only carded wool, as Herakles did for Omphale, but they were probably the first to be carded when the *ἄκανθα* came into use as a means of punishment. When Croesus succeeded to the kingship of Lydia, he punished the man who had supported his half-brother Pantaleon for the succession by having him dragged to his death over *ἄκανθαι*.³ The verbs *ξαίνειν* and *κνάπτειν*, which had the same meaning, were used in a transferred sense with *μάστιξι*.⁴ When in the *Frogs* (657) Xanthias is whipped, he exclaims *οἶμοι* and asks the servant to remove a thorn: *τὴν ἄκανθαν ἔξελε*. Commentators assume that the thorn is in his foot. It is rather in the back, where many thorns must have been lodged in the case of those unfortunate slaves who were carded. The

¹ *Frogs* 499-501.

² *Ad vs.* 501.

³ Hesychius, s.v. ἐπὶ κνάφου ἔλκων. διαφθεῖρων: ὁ οὖν Κροῖσος τὸν ἐχθρὸν περιέλαυνε ταῖς ἄκανθαῖς καὶ οὕτως διέφθειρεν (cf. Herodotus i. 92). Alyattes nominated Croesus as his successor perhaps because his mother was a Carian and therefore of superior birth, whereas Pantaleon was the son of an Ionian woman. Such determination of status was the rule among the Lycians. The names of Croesus and his half-brother appear to have been Lydian and Greek in keeping with the nationality of their mothers.

⁴ Cratinus *Incert.* 116: τῇ μάστιγι κνάψεν; Dion. Hal. iii. 30: ξαίνειν τὸ σῶμα μάστιγι.

inference from a passage in Herodas is that offenders were hung up by the foot to be carded.⁵

The exclamation of Xanthias in verse 649 brings the question as to whether he has suffered any pain, to which he replies in the negative by saying that he was just thinking of the Herakleia which was celebrated in the deme Diomeia. That a Herakleioxanthias whom Dionysus has compared to the Melitean whip-slave (Herakles) should be reminded, by the whipping, of the Diomeian festival depends for its significance upon some close relationship between Melite and Diomeia. The close connection is established by the record of a migration of Meliteans to the deme of Diomeia.⁶ It may be assumed that the settlers took with them to their new home the cult of the Melitean Herakles where it may have been fused in some way with the great cult of Herakles in Kynosarges. The remark of Xanthias would become highly significant if the cult of the transplanted Melitean Herakles included a mystic rite of flagellation such as we see depicted in the frescoes of the Villa Igem. This is the more likely because the descent of Dionysus and the pseudo-Herakles to bring up Euripides is clearly an Aristophanic parody of the mystic descent to Hades of the real Herakles and Dionysus. The comic poet may have had in mind the Orphic *κατάβασις ἐς ᾠδου*. It is during their descent in the *Frogs* that the two receive a whipping. Mystic rite may well have enacted the story of the descent of the god and hero to the abode of the dead and their significant return.

Kock, however, believes that the remark of Xanthias was intended by the slave to convey the impression that the whipping did not cause him any pain physically but that he was saddened and grieved by the cessation of the festival of Herakles, whom he is impersonating. This seems to be a very much forced explanation. There would be more point to the reference by Xanthias to the festival if it reminded the Athenians of some punishment which an impersonator of Herakles received at the Herakleia. The act may itself have been a burlesque of a once serious rite. The whipping of Herakles by an Omphale would have offered opportunities for jibes at the festival such as might well make of the Diomeian Herakleion a rendezvous of jokers whose witticisms became so famous as to provoke the curiosity of Philip of Macedon.⁷ Not only Herakles but Dionysus as well became the target of comedy, so that Julian centuries later could refer to the comedians who drag Herakles and Dionysus on the stage and make a public show of them.⁸ Perhaps Aristophanes in the *Frogs* should receive the blame or the credit for starting the two Theban sons of Zeus on the road to ridicule.

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⁵ iv. 78; cf. Headlam, *Herodas*, p. 211.

⁶ Plut. *De exil.* 6.

⁷ Athenaeus xiv. 614d.

⁸ *Misopogon* 366c; *Orat.* vii. 204b.

WERE THE HYMNS OF PRUDENTIUS INTENDED
TO BE SUNG?

Editors of the *Cathemerinon* of Prudentius, as well as translators and commentators, seem almost unanimous in their conviction that these hymns were not intended for actual singing, and were not suited for congregational use. While a few feel that the complexity of meter and variety and richness of vocabulary, so different from the eminently singable hymns of Ambrose, are important considerations, most writers give the length of the hymns as the chief reason for this conclusion. Certainly a hymn of 220 verses, like No. 7 of the *Cathemerinon*, would daunt a congregation that finds the "Te Deum" wearisome, but here as elsewhere we must consider not our own tastes but those of the time when the hymns were composed. Augustine bore witness to the hymn-capacity of early Christian times when he composed his *Psalmus contra Donatistas*, of which 288 verses are preserved to us. His own statement in the *Retractationes* (i. 18) indicates not only that he intended this long metrical statement of orthodox doctrine to be sung but that he expected the congregation to follow its argument closely as an antidote to Donatist psalms of similar character but opposing doctrine. Thus the simpler meter of his psalm is compensated, as compared with the *Cathemerinon*, by the difficulty of following continuous doctrinal exposition, instead of Prudentius' more episodic and pictorial themes. Augustine's statement is as follows:

Volens etiam causas Donatistarum ad ipsius humillimi vulgi et omnino imperitorum atque idiotarum notitiam pervenire et eorum, quantum fieri per nos posset, inhaerere memoriae, psalmum, qui eis cantaretur, per latinas litteras feci, sed usque ad U litteram, quales abecedarium appellant . . . ideo autem non aliquo carminis genere id fieri volui, ne me necessitas metrica ad aliqua verba, quae vulgo minus sunt usitata, compelleret.

Clearly, Augustine expected men for whom simplicity of expression and language was a necessity to follow a doctrinal psalm of 288 verses closely enough to be shielded thereby from Donatist propaganda. It would seem that objectors to the liturgical use of Prudentius' hymns must rest their argument, as far as his own time is concerned, on other grounds. The poet's words may then be literally applied to his own hymns:

Hymnis continuet dies
nec nox ulla uacet, quin dominum canat;
pugnet contra hereses, catholicam discutiat fidem.¹

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¹ *Liber cathemerinon, praefatio, vss. 37-39.*

LAPIS CAPITOLINUS

It is a fact, attested as early as the time of Cato the Elder, that there was a sacred stone, thought to represent the god Terminus, in the cella of Jupiter in the Capitolium.¹ Above the stone was an opening in the roof, which the ancients explained by saying that the cult of Terminus had to be carried out beneath the open sky. It is in an attempt to explain the presence of this stone that they tell the story of the exauguration which took place on the site of the Capitolium before the temple was built. Since Terminus had refused to be exaugurated in order to make way for Jupiter, he was included in the temple.

This story presents certain difficulties. It is usually said that the stone was a typical terminal stone associated in cult with Jupiter Terminus, but since there appears to be no connection in cult between it and the festival of the Terminalia, such an explanation seems improbable.² Warde Fowler has suggested that it may represent the old boundary between the Palatine and Colline settlements, but the location is singularly inappropriate for this purpose.³ Since we have no cult associations between the stone and Terminus except a story which has the air of an aetiological attempt to explain the presence of the stone in the sanctuary of Jupiter, we may, without violence to the evidence, seek some other solution for the riddle.

Let us first notice the position of the stone. Dionysius tells us that it was near the cult statue of Jupiter. Would one not expect an independent divinity with no share in the ownership of the temple to be a little removed from the more important image? We have, however, several references to a connection between Jupiter and stones;⁴ indeed, Gellius speaks of an oath sworn *per Jovem Lapidem*.⁵ We know that stones formed an integral part of the associated cult of the Fetials, even if we cannot be quite sure how they were used. We know also that many another Roman god was worshiped under an aniconic form. Is it not possible that we have in the so-called Terminus an aniconic representation of Jupiter which was worshiped on the Capitoline hill before the Etruscans introduced images?⁶ It is almost certain that when the Etruscans built the Capitolium they were simply continuing an earlier cult, although they may have added to it the worship of Juno and Minerva. They

¹ Ovid *Fasti* ii. 667 ff.; Serv. *Ad Aen.* ix. 446; Lact. *Div. inst.* i. 20. 38 ff.; Dion. Hal. iii. 69; Paulus 505 (ed. Lindsay); Cato *Orig. frag.* 24 Peter (Festus 160 [ed. Lindsay]).

² Aust, *Myth. Lex.*, II¹, 667, s.v. "Jupiter Terminus"; Warde Fowler, *Roman Festivals*, p. 327; cf. Wissowa, *Religion und Kultus*, p. 125.

³ *Loc. cit.*; cf. Frazer, *Fasti*, II, 491.

⁴ Aust, *op. cit.*, II¹, 674 ff., s.v. "Jupiter Feretrius"; Warde Fowler, *op. cit.*, pp. 230 ff.

⁵ *Noct. Att.* i. 21. 4.

⁶ The probability that the so-called Terminus stone was in origin a baetyl has already been suggested by Professor L. A. Holland in *AJA*, 1933, p. 553, n. 1.

may well have found on the hill only an outdoor sanctuary such as Livy describes in the case of Jupiter Feretrius,⁷ or like the sanctuary of Jupiter Latialis on the Alban Mount.⁸ The sacred stone would have formed the center of the cult here, and would have been placed in the new temple side by side with the new image. It would be only natural that subsequently the Romans would forget the details of the earlier form of cult and be hard put to it to explain the presence of the stone. It is to this period when the memory of the old days has faded that we may assign the beginning of the Terminus story. Since the *termini* were the commonest sacred stones, they would be the first analogy suggested by an unidentified stone, so that this explanation would come readily to the Roman mind. It might have been aided, however, by what was probably a pure coincidence. Above the stone was a hole in the roof attributed to the outdoor character of the Terminus cult. It is quite possible, however, that the hole owed its origin to a more practical consideration. The inside of a Tuscan temple like the Capitolium must have been very dark even when the doors were open, particularly in the central *cella*, for the deep porch would cut off most of the light. In order to counteract this difficulty the builders may have left a hole in the roof near the cult image so that a shaft of light would fall on it. The effect of the statue thus illuminated at the back of the dark *cella* would be very striking. The existence of the hole above the image may have suggested a parallel from the cult of *Dius Fidius*, by whom an oath could be sworn only under the open sky, and thus have given rise to the association with the outdoor god Terminus. Thus the fortuitous connection of light shaft and ancient cult object may have given rise to a belief in a purely apocryphal cult.

AGNES KIRSOPP LAKE

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A NOTE ON OVID *METAM.* XV. 651 f.

dum dubitant, seram populere crepuscula lucem,
umbraque telluris tenebras induxerat orbi.

Verse 652 has suffered at the hands of most editors of the *Metamorphoses*. N. Heinsius condemned it as spurious: "Hic denuo versus frigiditate sua satis prodit auctorem a Nasonis elegantia longe diversum."¹ Heinsius' procedure was approved by D. Crispinus² and P. Burmann.³ G. E. Gierig, however,

⁷ Livy i. 10. 5.

⁸ M. S. de Rossi, *Ann. d. Inst.* (1873), pp. 162-167, Pl. R. S. (1876); pp. 314-33, Pl. Q. Cf. Giovannoni, *Not. Scavi* (1912), pp. 382-84.

¹ (Amsterdam, 1659). The note is repeated verbatim in the edition published at Leipzig in 1758.

² (Lyons, 1689). "Expositionem esse frigidam superioris crepusculi, atque Ovidio indignum hunc versum quivis agnoscat."

³ (Amsterdam, 1727). Repeats Heinsius verbatim.

showed that the verse was indispensable: "Sed abesse non potest; quandoquidem homines *crepusculi* tempore nondum dormiunt. Ovidius tria tempora se excipientia indicare voluit, seram lucem, crepuscula, ipsam noctem; cui similis vs. 663 f."⁴ This defense was confirmed by E. C. Bach,⁵ since whose time there has been no further attempt, so far as I know, to deny the authenticity of the verse.

If, then, the verse is genuine, how are we to interpret it? Our answer depends on whether we take *telluris* with *umbra* or with *orbi*. If *telluris* modifies *umbra*, the verse means "and the shadow of the earth [i.e., the conical shadow cast by the earth into space in a direction exactly opposite the sun] had brought darkness upon the world." If, however, *telluris* modifies *orbi*, the verse must mean "and [the] shadow [i.e., night] had brought darkness upon the world."

C. Schrevelius, an early editor, adopted the first explanation,⁶ which commended itself to Crispinus, too.⁷ Gierig, however, though conservative in defending the authenticity of the line, seems to have been the first to abandon Schrevelius' exegesis and adopt the second interpretation given above. This involved taking *umbra*, used absolutely, as equivalent to *nox*, a procedure which Gierig thus defends: "Ea [sc. *nox*] *umbra* passim dici solet. Aen. III, 589. *Humentemque Aurora polo dimoverat umbram*." Gierig's exegesis also involved taking *telluris orbi*=*orbi terrae* (*terrarum*), as was noticed by Bach, whose comment, however, is merely "*tellur. orbi* seltener als *terrarum orbi*." The interpretation of Gierig and Bach was accepted by such editors as V. Loers,⁸ J. Siebelis,⁹ H. Magnus,¹⁰ and O. Korn-R. Ehwald,¹¹ and, since I have been unable to find any defense of the older interpretation, it would seem that the exegesis which connects *telluris* with *orbi* is now orthodox.

This "orthodox" interpretation, as we have seen, involves two propositions: (a) that *telluris . . . orbi*=*orbi terrarum* and (b) that *umbra*, used absolutely, may mean *nox*. Let us see whether either proposition is likely to be true.

a) Bach simply says that *telluris orbi* is "seltener" than *terrarum orbi*; Magnus calls the latter phrase "häufigerem." These comments seem to imply that other examples of *orbi telluris* exist, but I have been unable to find one. If the

⁴ (Leipzig, 1807). Repeated verbatim by N. E. Lemaire (Paris, 1822) and the Oxford variorum ed. (Oxford, 1826).

⁵ (Hannover, 1836). Gierig and Bach might have strengthened their argument by citing Ov. *Met.* iv. 399-401, where the *crepusculum* is clearly distinguished from *tenebrae*, the darkness of night proper, so that vs. 652 is not simply an "expositio superioris crepusculi."

⁶ (Leyden, 1661). "*Umbra telluris*] Definitio est noctis."

⁷ *Op. cit.* 582: "atque umbra terrae invexerat caliginem mundo."

⁸ (Leipzig, 1843).

¹⁰ (Gotha, 1886).

⁹ (6th ed.; Leipzig, 1871).

¹¹ (4th ed.; Berlin, 1916).

editors knew of any, it is unfortunate that they refrained from citing them, for so unusual an expression as *orbi telluris* demands some justification, especially since *terrarum* would have been metrically possible in this verse,¹² and if it be objected that *terrarum orbi* is prosaic, one might reply that Vergil did not hesitate to use it (see *Aen.* i. 233).

b) May *umbra*, used absolutely, mean *nox*? The passage from the *Aeneid* cited by Gierig proves nothing, since *umbram* is there qualified grammatically by *umentem* and logically by *Aurora*; it is not the subject; and the expression may have been suggested by *nox umida*, which is common in Vergil.¹³ Bach's reference to Luc. iv. 472 f. (*nam condidit umbra/nox lucem dubiam*) is equally worthless, for there *nox* is actually the subject and *umbra* a modifier of the verb. Loers contents himself with the assertion that *umbra* means *tempus noctis* and cites no parallel passage. There is, it seems, nothing in Forcellini which lends real weight to the supposition that *umbra* by itself ever means *nox*. Horace's *ad umbram lucis ab ortu* (*Epist.* ii. 2. 185) is not enough, since *umbram* is here qualified logically, though not grammatically, by *lucis ab ortu*, and, furthermore, *umbram* is not the subject of a verb.¹⁴

The fact that neither proposition involved in the current explanation of this verse has been supported with pertinent quotations from Latin authors ought to make one suspect that the current explanation is wrong and lead one to reconsider the older interpretation.

The following points are involved: (a) It must be possible for *orbi* alone to equal *orbi terrarum*. (b) It must be possible to use *tellus* of the earth as an astronomical body. (c) There ought to be some parallels to this use of *umbra telluris* as the cause of night. It is not hard to find valid evidence for these propositions.

a) For *orbi*=*orbi terrarum* see Verg. *Aen.* i. 331, iv. 119, xi. 257, xii. 708, and Ov. *Fast.* v. 93.

b) For *tellus* as an astronomical body see Cic. *De rep.* vi. 17. 17; Ov. *Met.* i. 12; and Luc. vi. 503.

c) The cause of darkness and night was known as early as the time of Empedocles,¹⁵ and there are references in Latin literature before Ovid to the earth's shadow as the cause of night. See, e.g., Cic. *De nat. deor.* ii. 19. 49: "*ipsa enim umbra terrae soli efficiens noctem efficit.*"¹⁶ Moreover, in Lucan

¹² *Tellus* is often used for *terra* in dactylic hexameters. See W. A. Merrill *ad* Lucr. iii. 26; also *ad* i. 178 and ii. 1156.

¹³ See *Aen.* ii. 8; iii. 198; v. 738, 835; xi. 201.

¹⁴ The examples of *umbra* cited in Forcellini and elsewhere suggest that in the nominative singular it is usually modified by a defining genitive or an adjective equivalent to such a genitive. Used absolutely, it often means "shade."

¹⁵ See J. Burnet, *Early Greek Philosophy* (3d ed.; London, 1920), p. 74.

¹⁶ See also Cic. *De rep.* iv. 1; *De div.* ii. 6. 17; *Tim.* 37. For the *umbra* in eclipses see Lucr. v. 762-64; Cic. *De rep.* i. 14. 22 and *De nat. deor.* ii. 40. 103; *Liv.* xlv. 37.7.

there are two interesting parallels to Ovid's phraseology. The first (i. 538 f.) is about a lunar eclipse:

iam Phoebe toto fratrem cum redderet orbe,
terrarum subita, percussa expalluit umbra.

The second (vi. 503 f.), too, involves an eclipse:

quam si fraterna prohiberet imagine *tellus*
 insereretque suas flammis caelestibus *umbras*.

The existence, shape, and effects of the earth's shadow were, therefore, well known in intellectual circles at Rome in Ovid's time. Ovid may have got the idea from some astronomical textbook, but it is possible that he derived it from some Hellenistic poem now lost. This cannot be demonstrated, but it becomes plausible when we consider that Nonnus, who, like Ovid, shows many traces of Hellenistic influence, is very fond of this way of describing nightfall. See, e.g., *Dionys.* vii. 309 ff.:

ἀλλ' ὅτε οἱ σπεύδοντι χαμαιγενὲς ἄλμα τιταίνων
 ἀκροτενὴς περίμετρος ἀνέδραμε κῶνος ὁμίχλης,
 δυομένης ζόφον ὕγρὸν ἄγων ἀντίσκιον 'Ηοῦς.¹⁷

Be this as it may, the meaning of the verse in the *Metamorphoses* is, I believe, clearly that suggested by Schrevelius. It involves no departure from normal Latin idiom, makes good sense, and, finally, is in better accord with the word-order and the meter than the current explanation.

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LEXICON-INDEX TO HERODOTUS

The undersigned wishes to make it known that he has in preparation a Lexicon-Index to Herodotus, embodying full references to all words, classified according to syntax, meaning, and context.

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¹⁷ For further references see *Dionys.* ii. 165; xviii. 158; xxvii. 5; xxxiii. 267; xxxviii. 254; and *Paraphr.* vi. 62.

BOOK REVIEWS

Cicéron, correspondance, Tome I. Texte établi et traduit par L. A. CONSTANS. ("Collection des Universités de France.") Paris: Société d'Éditions "Les Belles Lettres," 1934.

M. Constans has presented the first instalment of a notable addition to that most praiseworthy collection of classical texts and translations which appears in a steady stream of volumes under the auspices of the Association Guillaume Budé. As in the standard edition of Tyrell and Purser, the letters of Cicero with those from his correspondents are arranged, not as in the collections that have come down to us, but in their chronological order, so far as that may be determined. In those that make up the present volume, which includes Parts I-III of Tyrell and Purser's edition, only a few minor changes, none of them involving a shift of more than a few months, have been made. The text is accompanied by a translation into fluent and attractive French. Before the letters of each year is an admirable Preface, in which the historical and biographical significances of the correspondence is made clear. The footnotes contain a very few explanatory comments, and others are given in an Appendix at the end. The whole makes up a delightful and satisfactory introduction to the letters of Cicero and their meaning. I happen to prefer the method employed in the "Loeb Series," wherein the text appears on the left-hand page and the translation on the right—but this is a question of taste and habit of reading. I also miss the numbering by fives of the lines on a page—its absence creates an unnecessary obstacle for one who searches the variants at the bottom of the page.

In some of the volumes of this series, as sometimes in the "Loeb Classics," no effort is made to present a critical text. In most cases the evidence of the manuscripts and the judgments of editors have been taken into account, but the variants cited at the bottom of the page only rarely constitute a genuine *apparatus criticus*. For the work of M. Constans, however, precisely this claim may be made. He has collated a number of the manuscripts anew or has secured collations of them. He does not cite all that he might cite, but he cites enough. He presents in his Introduction a clear and adequate account of the manuscripts and their groupings, and in the apparatus gives sufficient readings to illustrate the evidence afforded by the different branches. The reader is given not a merely eclectic assortment of variants but a sure basis for textual decisions.

Particularly in the text of the *Epistulae ad familiares* we note a new emphasis on some of the more recent manuscripts, which generally have been lumped by previous editors under the humble title of *deteriores*. The entire

collection of the Letters is contained in the best of the manuscripts, the famous Mediceus XLIX, 9, which was discovered by Coluccio Salutati. Judging by the facsimile in Chatelain (XXXIV, 1), its script suggests the north, very possibly Germany. But *Ad familiares* was also transmitted in two sections, representing original *volumina*, in the second of which the evidence of the two oldest manuscripts, H (Harleianus 2682, *saec.* XI) and F (Berolinensis, olim Erfurtensis, *saec.* XII-XIII), has to be supplemented by the *deteriores*. M. Constans has dispelled a murky atmosphere with the clear light of day. He singles out two of the codices of the fifteenth century, V (Parisinus 14761, from St. Victor) and D (Vaticanus Palatinus 598), and places them in a stemma with H and F, which depend from an ancestor that derives from an ancestor [Y] of D. V comes from an ancestor [z] that, like [Y], goes back to a codex possibly of Lorsch [x]. D had been cited before in a faulty collation. M. Constans collated it anew, and V is his own discovery. The value of these codices is especially obvious in the *Commentariolum petitionis*, where the main sources are merely H and F. These manuscripts, despite their relative antiquity, are defective in many ways; and editors have appealed perforce to the *deteriores*, but not with the assurance now possible that their superior readings—not always, perhaps, but as a rule—represent the genuine tradition and not merely the clever conjectures of the Italian humanists. I have examined the new *apparatus criticus* sufficiently to be convinced that the position of M. Constans is sound. It follows that in the text of Volume II of *Ad familiares* the testimony of V and D, while, of course, not better than that of M, is of prime importance for reconstructing the text of the lost manuscript of Lorsch [x], which derives independently of M from their common ancestor.

In his own treatment of the text, M. Constans steers a happy *via media* between stubborn conservatism and reckless conjecture. Bound, as he is, to present a readable text, he refrains as often as possible from decorating *loci corrupti* with those *cruces* which, as he wittily remarks (p. 41), give a text the aspect of a philological cemetery. His own conjectures are moderate and well reasoned. He often refrains where others have "improved," as in the addition of pronominal subject-accusatives before an infinitive (p. 40). He likewise does not order the spelling too systematically but follows the testimony of the manuscripts in each and every case (p. 42). His procedure here is most commendable. We can lay down no absolute laws on this slippery subject—for instance, in the matter of dissimilation in compound verbs—until a large number of texts have been edited in this way.

In general, intelligence and clarity shine in each page of this edition. It has profited by the keen scrutiny of the scholar appointed by the Association Guillaume Budé, in accordance with their practice, to revise this work—M. René Durand, a master venerated at the Sorbonne, whose ample learning and exquisite taste are not often spread upon the printed page but have formed the scholarly habits of many a famous pupil.

M. Constans promises after the completion of this edition of Cicero's letters to devote a volume to Cicero as his letters reveal him. We can only hope that he will press on to both goals with all possible speed.

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I fasti dei tribuni della plebe. By GIOVANNI NICCOLINI. Milano: Dott. Antonio Guiffrè, 1934. In -8. Pp. xvi+590, con indice delle fonti. L. 75.

Professor Niccolini, under the auspices of the Fondazione G. Castelli, presents in this volume the source material and discussion of details on which rested the broader treatment of the tribunate afforded in his earlier work, *Il tribunato della plebe* (Milano: Hoepli, 1932). As he himself states in the Preface, this volume modifies only in detail the conclusions of his former book, which represents in its fundamental lines the expression of his thought as a whole on the tribunate. Hence the ordinary reader, and even the student in search of general statements rather than minute points, will refer to *Il tribunato*. *I fasti* is a source and reference book for him who desires a complete collection of references ancient and modern on specific problems. But it will long remain fundamental for such purposes, comparable to Liebenam's *Fasti consulares* and similar collections. It gives in full the ancient authorities for the history of the tribunate, of the individual tribunes and frequently other magistrates, and of tribunician activities, with a discussion of modern views whenever relevant. The material is arranged chronologically by years, since the commencement of the tribunician year, December 10, coincides so nearly with that of the usual calendar year (cf. p. xii). It falls into three main divisions: the datable tribunes from 261 A.U.C. (493 B.C.) to 1176 A.U.C. (423 A.D.), of which the major portion naturally concerns itself with the Republic. There is, in fact, no more sure indication of the degree to which the minor republican magistracies declined in importance under the Empire than the fact that, even amid the wealth of inscriptional evidence for the first two centuries after Christ, the datable tribunes from 30 B.C. until 423 A.D. fill only 23 pages out of 386. The second section (pp. 389-505) includes the tribunes of uncertain date, of whom, it must be confessed, more than half are found in inscriptions under the Empire. Finally there comes a brief collection, from inscriptions of the imperial period, of those *inter tribunicios adlecti* (pp. 509-16).

Those who use this book should not fail to consult the important list of additions and corrections (pp. 517-20), which offers additional material on many points. Moreover, the indexes are most complete and helpful. They comprise: an alphabetical list of tribunes, with the *adlecti* separately at the end; an alphabetical list of tribunician laws, (a) under the name of the *rogator*, and (b) anonymous; a list of important decrees, trials, laws, and other matters

affecting the tribunate; an alphabetical list of sources; and a bibliography. The attractive format, clear type, and good paper do more credit to the publisher than is often true of books published in Italy. Misprints, inevitable in the citation of so many sources and references, appear to be unimportant apart from those corrected in the corrigenda.

To criticize in detail so thorough and extensive a study demands a knowledge of the material, ancient and modern, equal to that of the learned author himself. In the earlier part, Professor Niccolini follows, on the whole, the traditional datings and statements without involving himself in chronological problems. The most important pages are undoubtedly those (pp. 142-204) dealing with the period from the tribunate of Tiberius Gracchus in 133 B.C. through that of Saturninus in 100 B.C., the years during which the tribunes undermined the senate, and with it the traditional constitution, to prepare the way for the confusion of the first century and the creation of the Empire. Here it is particularly to be regretted that Professor Niccolini failed to consult English discussions, and in particular Mr. Last's chapters in the ninth volume of the *Cambridge Ancient History* (pp. 19-172, and notes, pp. 891-96). In this connection it may be noted that not a single English title appears in the bibliography.

It is perhaps worth while to compare in some detail these two accounts of this important period. Both Professor Niccolini (pp. 148-49) and Mr. Last (p. 29) accept the suggestion of Carcopino that Appian's "rotation" with respect to the land commission set up by Tiberius Gracchus applies not to an annual change of the commission but to a rotation of the chairmanship among the three members of the commission. Professor Niccolini (p. 146) is more dubious than Mr. Last (p. 32) about accepting a *lex iudiciaria* of Tiberius. Moreover, he (p. 157) adheres to the traditional date of 126 B.C. for the tribunate of Pennus, as against 125 B.C. accepted by Mr. Last (p. 45, from Carcopino). Thus he makes the proposals of Pennus against the allies lead up to the attempt of the consul Flaccus in 125 B.C. to give them the citizenship. He (p. 158) dates the tribunes Acilius and Rubrius in 123 B.C. against the 122 B.C. of Mr. Last (pp. 890-92). He takes no account of Mr. Last's important analysis of Gaius' *lex frumentaria* (pp. 55-60) or of his suggestion that Appian has attributed too many laws to the second tribunate because he confused the election in July with the entry into office in December. With respect to the *lex Acilia*, Professor Niccolini makes two important suggestions (pp. 168-69): that it is not the Gracchan law but one put forward by a friend to replace the proposal to increase the senate; and that it remained in force until the *lex Servilia* of 106 B.C., although, for economy, there was inscribed on the back of the same tablet the *lex agraria* of 111 B.C. Preferable, perhaps, to the first suggestion is the ingenious hypothesis of Mr. Last (pp. 52-54) that two stages should be distinguished in the proposals of Gaius, one of compromise with the senate and, when that failed, one of extremes. As

for the second, it hardly seems likely that a law still in force would have been turned face to the wall in 111 B.C., even for economy's sake.

In his discussion of the legislation after the murder of Gaius, Professor Niccolini (pp. 174-84) puts the first law, allowing alienation of the lots, in 120 B.C., instead of 119 B.C. with Mr. Last (p. 99, from Carcopino). He then identifies Appian's second law, the *lex Thoria*, with the surviving *lex agraria* of 111 B.C. and holds that the rent was to be levied on the still undistributed pasture land. He therefore interprets Cicero's *uitiosa et inutili lege uectigali* as "from a law passed illegally (the law of Tiberius passed against the veto of Octavius) and now useless (because the lots could be alienated) by imposing rent." Furthermore, following Fabricius, he dates in this period (109 B.C., p. 186) the *lex Mamilia Roscia Peducaea Aliena Fabia*, though Professor Adcock (CAH, IX, 618, n. 1, following Hardy) retains the traditional date of 48 B.C. More attractive is his retention (pp. 200-202) of the usual date, 100 B.C., for the *lex frumentaria* of Saturninus. He shows that Saufeius, killed while quaestor, probably *urbanus*, on December 10 of that year, was the quaestor for 99 B.C. and had only just entered office on December 5. Hence Caepio, who opposed the law as *quaestor urbanus*, could have held this office in 100 B.C. with L. Calpurnius as his colleague. He thus disposes of the difficulty advanced by Mr. Last (p. 165, n. 3) and brings the *lex frumentaria* back into connection with the more extreme proposals of Saturninus.

A few more points perhaps deserve mention. With Mr. Last (p. 896), Professor Niccolini (p. 249) dates the *lex Antonia de Termessibus* in 70 B.C. but (p. 251) places the *lex Plautia dereditu Lepidanorum* in 69 B.C., with what appears to be good reason. Similarly, he (p. 361) plausibly moves the *lex Falcidia testamentaria* back to 41 B.C. from 40 B.C. (Charlesworth, CAH, X, 45). He (pp. 377-78) reconstructs the career of Agricola around a date of 64 A.D. for his quaestorship and 66 A.D. for his tribunate. In the section on tribunes of uncertain date, he (p. 427) shows that the Octavius who passed a *lex frumentaria* belongs probably between 91 and 81 B.C., and nearer the former date. In disagreement with Professor Adcock (CAH, IX, 644, following Hardy), he (pp. 441-43) regards the two fragments from Veleia and Ateste not as parts of the *lex Rubria* on the *ciuitas* of the Transpadanes but as bits of two distinct *leges datae*; and, though he accepts the *lex Rubria* of 49 B.C., he distinguishes from it and dates probably after 42 B.C. the *lex Roscia* on the competency of municipal magistrates mentioned in the Atestine fragment.

The foregoing discussion and description will serve to indicate the importance for scholars of Professor Niccolini's book. Each will perhaps find something to criticize with regard to his particular interest, but none can dispense with its exhaustive presentation of material or neglect opinions based on such a profound grasp of the whole nature and development of the tribunate. And one's attention is inevitably drawn to the growth of the power of the tribunes and the gradual recognition of the place of this extraordinary office

within the regular machinery of the Republican government when one considers how in Professor Niccolini's own country an organization somewhat similar to the *plebs* has succeeded in intruding itself into the government and has secured the recognition of its head as an officer of state.¹

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Religion in Virgil. By CYRIL BAILEY. Oxford: Clarendon Press, 1935. Pp. 337. \$5.00.

In this book Dr. Bailey sets forth, not, as some unwary purchasers may expect, the personal religion of the poet, but rather the sphere of religion as Virgil handles it objectively and as he associates it with persons, places, characters, and situations in his work—in other words, religion *in*, not *of*, Virgil. The writer's purpose, in fact, is to inquire into "the religious ideas and practices which find their place in Virgil's poems," for, just as the *Aeneid* is an epitome of Roman history and a compendium of Roman antiquities and customs, so, in the religious sphere, Virgil wanted his epic, and to a less degree his other poems, "to recall beliefs and practices which at one period or another had been alive and vital at Rome or among the Italian peoples." We may assume, however, that Virgil also desired "to give expression to the beliefs of his age, and in the *Aeneid* at least to forward that fusion of the Greek and Roman elements in religion, which it was the object of Augustus' reforms to fix and establish. Perhaps, too, . . . he wished to reconcile . . . the conclusions of philosophy and the beliefs of religious tradition."

For such a work as the writer has designed, it is, of course, obvious that most of the material must come from Virgil himself; and yet it is somewhat of a surprise to find how slight is the additional bibliography he has used. At the very outset references are made to Sellar, Warde Fowler, Glover, Heinze, Norden, Wissowa, and Boissier; but in the body of the work there are only scattered allusions to Otto's *Die Manen*, Dieterich's *Nekyia*, Frazer's *Golden Bough*, Altheim's *Griechische Götter im alten Rom*, and Taylor's *The Divinity of the Roman Emperor*, a book which, we are glad to see, Dr. Bailey warmly commends. Very little use is made of editions of Virgil. The only complete one cited is Conington's, but for the sixth *Aeneid* references are made to Norden and Butler.

¹ Since the foregoing review was written, the following two discussions of the post-Gracchan legislation have come to hand: E. F. D'Arms, "The Date and Nature of the *Lex Thoria*," *American Journal of Philology*, LVI, No. 3 (1935), 232-45 (summarized in *Proc. Amer. Philol. Assoc.*, LXV [1934], xliii-xliv), concludes that the *lex Thoria* was neither that passed by Appian's Borius in 119 B.C. nor the *lex agraria* of 111 B.C. H. Rudolph (*Stadt und Staat im römischen Italien* [Leipzig: Dieterich'sche Verlagsbuchhandlung, 1935], pp. 193 ff.) distinguishes two *leges Mamiliae*, one *de limitibus* of 109 B.C. and one *Mamilia Roscia*, etc., of 55 B.C. (not 48 B.C.). He also (p. 235) accepts the view that the table of Ateste does not contain the *lex Rubria*.

On the other hand, Dr. Bailey has exhausted the Virgilian material, and the excellent Index provided would seem to cover every possible reference to a religious topic made by the poet. It is interesting to note that the writer lists under "Virgil" both the *Copa* and the *Culex*, but no other poem of the *Appendix*. The *Copa* is cited because of the "queer phrase" *cineri ingrato*, which is, I believe, borrowed from *Aeneid* vi. 213. As to the *Culex*, Dr. Bailey holds that it is "probably an early poem of Virgil's" (p. 39), though some of the passages he cites may well strengthen the conviction of those who reject its Virgilian authorship. Thus in lines 94 and 115, the plural *Panes* is twice used for Fauni, "though never in the certainly authenticated works of Virgil." Again, in line 347, the suggestion that the will of heaven may be combined with the influence of the stars is an idea "otherwise unknown in Virgil," while the description of the lower world is "much cruder" in the *Culex* than in *Aeneid* vi, and "is lacking in two of the great features" of that splendid work. It is devoid of "the element of philosophical reflexion . . . and, what is perhaps more noteworthy, there is no reference to the fate of the common people." Thus it lacks "that element of folklore which was an essential feature of Virgil's underworld 'theology.'"

The material furnished by Virgil is classified under the following heads: "Magic, Omen, and Prophecy"; "The Old Italian Religion"; "The State-Cult"; "The Graeco-Roman Gods"; "Oriental Gods, Cosmological Gods, Worship of the Emperor"; "Fate and the Gods"; "The Dead and the Underworld." A final chapter is devoted to the inferences that can be drawn "as to the habits of thought of Virgil's contemporaries and, if possible, as to his own convictions."

In a brief review it is impossible to go into many details, but the admirable Index provided by the author will enable students to learn what view Dr. Bailey takes of any important passage in Virgil which has a religious bearing. He is particularly good in discussing the significance of words like *augurium*, *auspicium*, *omen*, *monstrum*, *fatum*, *fortuna*, *religio*, *numen*, *votum*, *daps*, *epulae*, *pietas* and *piaculum*, though it would seem that terms like *sacer*, *sanc-tus*, and *religiosus* might have evoked some reference to Roman law. As to the reading of *G. iii.* 456, Dr. Bailey is incorrect in assigning *omnia* to M. The Medicean MS has *omina*. See Sabbadini's *apparatus criticus* and *TAPA*, LXIII (1932), 225. The much discussed *instauramus* in *A. iii.* 62 is very properly taken to mean "renew"; and Dr. Bailey does not presume to assert, as does Professor Knapp in his comment on the passage, that the "expression is wrong, and is due to a confusion of thought." Indeed, the more we study Virgil's use of technical language, the more impressed do we become by his archaeological accuracy and his intimate knowledge of ceremonial details.

The early Italian tradition was very dear to Virgil, who loved the gods of the country with the nymphs and fauns: *fortunatus et ille*. Less dear to him were the deities of the state, though he had a real interest in their cult. As for

the great gods—Venus, Juno, and Jupiter—who “almost alone have a personal part in the story of the *Aeneid*,” they are “closely linked with the conception of fate—Venus and Juno with the destinies of individuals and races . . . and Iuppiter with the world-fate,” which is “in fact the destiny of the Roman Empire.” The strange medley of ideas, derived from folk lore, from Greek and Roman mythologies, and from philosophical speculation, resulted in a mass of positive religious belief for the average Roman. This is especially true of Caesar-worship. At the death of Julius there was an outburst of national emotion which was utilized and perhaps directed by the poet who exalts the *Divi filius* and his divine counterpart Apollo. And as for Jupiter, the poet reinstates him as the world-god, “whose will is fate, expressed in effect in the supremacy of Rome.” And thus does Virgil unconsciously pave the way for the new world-religion. As regards the fate of the dead, Virgil takes the traditions of folk lore and myth, refines them in the light of philosophy, and then, with the eyes of a seer, evokes a vision of soul-purgation and of exalted Roman destiny.

I have said that Dr. Bailey's subject is religion *in*, not *of*, Virgil. And yet he has a word to say about the latter theme. Virgil recognizes the spiritual value of things and events, manifested especially in his profound sympathy with suffering and sorrow. But Virgil's religion is not one of pessimism. Through labor the farmer wins prosperity, and through sorrow and suffering the hero founds a city that is to become an empire. Virgil's religion looks to the future, not merely to the past.

Dr. Bailey's book is well conceived and well written.

H. RUSHTON FAIRCLOUGH

Stanford University

Index Apuleianus. By WILLIAM ABBOTT OLDFATHER, HOWARD VERNON CANTER, BEN EDWIN PERRY, with the assistance of KENNETH MORGAN ABBOTT and other friends and former students. (“Philological Monographs [American Philological Association],” No. III.) Middletown, Conn.: American Philological Association, 1934. Pp. li+490.

Readers of Apuleius need no longer waste time on the Index in the edition of Floridus. Professor Oldfather, his colleagues, and students have sacrificed themselves for the good of their fellow-workers. The Index is a word-list, with differentiation of the inflectional forms of verbs and substantives. To it is prefixed a supplementary critical apparatus, in which are recorded additions to the material already provided in the commonly used editions of Apuleius' various works, and by the use of brackets in the Index the reader is guarded against any assumptions in the textual readings. It should be noted that Professor Perry has added a new collection of the fragments of Apuleius (pp. ix-xiii). The main basis of the Index is the Teubner text, and the compilers

have facilitated reference by adding to the number of the chapter in a given work the number of the line in that text.

The accuracy of such an Index can be tested only by long and constant use. The multiplicity of detail makes perfect accuracy quite unlikely, and the editors have protected themselves, properly, in the Preface by revealing the difficulties of their task. Consistency is one of the hardest problems. So, for example, a reader interested in the form *cuiusce* naturally turns to *quisque* and is somewhat baffled; accidentally he discovers that *huiuscemodi* and *cuiuscemodi* are listed as independent rubrics; but under *hic* the reader is given a helpful cross-reference to the lemma *huiuscemodi*, while under *quisque* no such help is provided. Similarly, if one is concerned with the question whether *quodam*, *aliquo*, *quovis*, are used by Apuleius as datives, he finds rather definite help under the lemma *quavis* but nothing corresponding to it under *quidam* or *aliquis*. Is not *nē* better called an affirmative particle than an interjection? The only error of some importance that I have noted appears in the account of the adjectives *assitus* and *dissitus*: the former appears under the lemma *adsero*, the latter under *dissero*; but neither adjective has any connection with the verb *sero*. They are compounds of *situs* (cf. *sino*) and are correctly so described in the *Thesaurus*. Perhaps the compilers were misled by the erroneous note in Purser's edition of the story of Cupid and Psyche on *Metam.* vi. 10 (end). One case, *dissitis femoribus* in *Metam.* vii. 23 (end), is listed in the *Thesaurus* under "*dissero*," but I seriously doubt the correctness even of this ascription. Such slight blemishes do not qualify our hearty thanks for the completion of this work, which at the cost of enormous labor on the part of a few has saved time for the many.

HENRY W. PRESCOTT

University of Chicago

Die Geographie des Homerischen Epos. Von Dr. R. HENNIG. Leipzig and Berlin: Teubner Press, 1934. Pp. 102. RM. 4.80.

The first sentence in the argument of this book makes a most unfavorable impression, "Viel Anklang hat die These des Engländers Lang, The World of Homer, London 1910, gefunden, dass die gegenwärtig vorliegende Fassung der homerischen Epen erst den Tagen des Pisistratus entstammt, um 530 v. Chr." The only mention of this Pisistratean origin of the Homeric poetry in the book quoted is in an Appendix, where it is assailed as an absolute fraud without any historical basis. Dr. Hennig again illustrates the great danger which lies in referring to a book the contents of which are absolutely unknown.

The thesis of this present book is that long before Homer the Phoenicians were in complete control of a huge commerce that flourished in the Atlantic and extended from the British Isles to the Canary Islands, that they strove to keep this rich business to themselves by inventing tales of terrible monsters—

monsters which reappear in the *Odyssey*. Homer was perfectly familiar with the learning and the stories of these Phoenicians.

Every region in the *Odyssey* is an actual region, although somewhat modified by Phoenician telling or poetic handling.

The land of the Lotos-eaters is put in Northern Africa. With this most scholars would agree. Of the Aeolian Island he says that its location can be made with almost mathematical precision, that it is one of the Lipari Islands north of Sicily, and that the phrase "floating-island" refers to the lava of which the island is made and with which it is covered. However, if any confidence is to be put in Homer, the island of Aeolus cannot be one of the Lipari Islands, for Odysseus sailed home, carried solely by Zephyrus, hence would have sailed, through the mountains of Southern Italy. It was possible that Odysseus might have steered the ship away from the mountains and around the toe of Italy on the homeward trip, but on the return Odysseus hid himself in the hold of the ship, no one steered, and the ship came in a direct course back to the Aeolian Island. A glance at any map will show that the Lipari Islands cannot furnish these necessary conditions, hence do not contain the island of Aeolus.

The Cyclops is to this author simply the poetic description of a volcano and the one eye is merely the great crater, hence the Cyclops is nothing else than the personification of Mount Aetna.

Charybdis with its regular vomiting and gulping down of water is only the poetic way of describing the rise and ebb of the violent and heavy tides which beat along the shores guarding the entrance to the Straits of Gibraltar, while Scylla with her many arms is the way a poet retells the sailor's description of the giant octopus.

Ogygia, the home of Calypso, with all its tropical vegetation and beautiful scenery is none other than an actual description of the island of Madeira. The Elysian Fields are also the real shores of an island not remote from Madeira. Atlas is the way a poet would see and describe Mount Pico de Teyde on Teneriffe, the summit of the Canary Islands, while the phrase "Atlas who knows the depths of all the sea" refers to the fact that the base of Atlas is washed by the deep waves of the ocean.

The land of the Cimmerians on which the sun never shines, a land hidden in mist and cloud, is the way a poet and a German professor would describe the British Isles, and oddly enough some of the natives long retained the name Cymri.

The home of the Laestrigones, a land where a sleepless man could earn a double wage, since the ways of day and night are near together, is not, as most scholars assume, in the far north, but is to be found in the immediate Mediterranean area.

The Phaeacians did not live in Corfu, but on the Andalusian coast of Spain, where are still to be found and identified the very river into which Odysseus

escaped in safety, the cliffs against which he was dashed, and the two springs are now flowing which watered the gardens of Alcinous. The mountain with which Poseidon blocked the harbor of the Phaeacians was simply an imaginative description of the drifting sands which have made navigation on this coast impossible.

Lastly, the home of Odysseus is not to be located in Thiaki, but in Corfu, an island which fits every topographical condition of the *Odyssey*. Thus the Homeric world is not a world of fancy, but an actual world, every part of which can be found and identified.

This is a clever book and will convince everyone who has already reached the same conclusions, but it does not touch me, since I cannot believe that Homer could have known accurately England, Madeira, the Canary Islands, and Spain, yet could have written "There is an island in the dashing sea far out from Egypt, Pharos they call it, so remote it is that it takes a hollow ship behind which fair breezes blow a full day to make the voyage." Pharos is, in fact, so close to Egypt that Alexander connected it to the mainland with a bridge. Dr. Hennig did not refer to this passage as a proof of the poet's chorographic knowledge, but to me it is absolute proof that Homer's geography is as much at the beck of poetry as is Homer's language. Shakespeare explained to my complete satisfaction Homeric geography and Homeric topography when he wrote the poet's imagination had the power to give to "airy nothing a local habitation and a name."

JOHN A. SCOTT

Northwestern University

Korfu ist nicht Ithaka. Von FRITZ OTT. WÜRZBURG: Verlag Konrad Triltsch, 1934. Pp. 29. RM. 1.

This little book is an attack on the theory by Dr. Hennig which I have reviewed in the present issue of this journal. The author assails with great skill and solid learning the theory that Corfu is Ithaca, but one argument is so convincing that the others may safely be neglected, and that is the night voyage made by Telemachus to Pylos, the home of Nestor. The distance from Corfu to Pylos in Messenia is over two hundred miles, to Pylos in lower Elis about one hundred and seventy-five miles. Telemachus waited until the suitors had gone to their beds before he started the voyage and he arrived at Pylos with the rising of the sun; hence he could have hardly taken more than eight hours for the trip. No ship, even the fleetest of modern cutters, could have made that distance from Corfu to either Pylos in the space of eight hours. This eliminates Corfu from the Ithaca equation.

Herr Ott is a devoted follower of Dr. Doerpfeld and believes that Corfu is the home of the Phaeacians and Leucas of Odysseus. The one reason for doubting that Phaeacia is Corfu is that it is too near to either Leucas or Thiaki to be in such a region of fable and wonder. Fairyland cannot lie so near

to actual life. Dr. Doerpfeld honestly thinks he can find every place and condition of Ithaca in Leucas. Sir Rennell Rodd has spent his life in this part of the Mediterranean; he knows Homer and he has visited all parts of Thiaki with Homer in his hand and is thrilled by the absolutely faithful accuracy with which every part of that island corresponds to Homeric Ithaca. It seems to me perfectly evident that, whatever Leucas and Ithaca may have been, the island described by Homer is an imaginary island, a poetic creation, and the creation is all the more wonderful in that it exactly fits so many islands right in that region where he imagined his own Ithaca.

JOHN A. SCOTT

Northwestern University

The Platonic Legend. By WARNER FITE. New York: Charles Scribner's Sons, 1934. Pp. 331. \$2.50.

This is an interesting book. It is a provocative book. At the risk of being thought unacademic, I should even venture to say that it is an amusing book. It can scarcely, however, be called a profound, scholarly, or well-balanced book. It is interesting chiefly as a study in the intellectual history of Professor Fite, and might well have carried the subtitle, "The Education of a Philosopher."

Briefly to reconstruct the author's philosophical experience regarding Plato, we find that scholars such as Professors Bosanquet, Taylor, and Shorey have enunciated certain ideas about Plato as man and as philosopher; that Professor Fite had accepted these interpretations as authoritative; but that, finally, having decided to re-read the more important dialogues with a critical eye, he discovered, to his amazement, that all was not quite as represented by the above-mentioned scholars. Having found that much of the current opinion about Plato is wrong, that certain aspects of his thought have been misrepresented, the author feels that he has been duped, and proceeds to demolish the whole structure of the Platonic philosophy along with Plato himself, both as man and as philosopher. The book is negative in the extreme, destructive, and full of a Mephistophelean "Geist der stets verneint." It is also full of a splenetic bad temper, the result, one is forced to conclude, of the writer's conviction that he has been the victim of a philosophical hoax. I finished the book with the cry of Tibullus: "Omnia iam tristi tempora felle madent."

In the first chapter, "The Divine Figure," are to be found some rather extravagant statements, as, for example: "The first canon of Platonic interpretation is the canon of omniscient intelligence." This is, of course, the sheerest hyperbole and nothing short of a distortion of contemporary Platonic criticism. "My purpose," he continues, "is to dismiss the idea of a divine revelation and to treat the words of Plato, if possible, as we should treat the words of any other writer." If the author had held to this intention, one could

have no quarrel with him; but he has not dealt with Plato as he would with any other writer, delighting, rather, wherever possible, to interpret him *in peius*. He refers to "divine revelation" as if the modern critics of Plato thought of him as being inspired in the manner of Christ and the Hebrew prophets, rather than in the sense in which the Greeks thought of all creative artists as being inspired by the Muses—in the same sense, indeed, in which we moderns speak of great writers as being inspired. It is this seemingly almost wilful misinterpretation and distortion of the critics of Plato and of Plato himself that make this book so exasperating.

Two aspects of Plato's thought seem to cause the author the greatest concern: his attitude toward democracy and his attitude toward love. In his chapter entitled "The Open Career" he is much disturbed at discovering Plato's undisguised aristocratic bias. This would scarcely seem to be a new discovery! The critics of Plato, however, whom Professor Fite attacks, seem to him to have been unfair in their stressing of the democracy of opportunity. He quotes from the "parable of the metals," but fails to include the following significant sentence: "There may be sons of artisans who, having an admixture of gold or silver in them, are raised to honor and become guardians or auxiliaries" (*Republic* 415c [trans. Jowett]).

In his bitterness the author fails to perceive many things which are quite clear to the careful reader. Plato might almost be writing a refutation of Professor Fite when he says (*Republic* 519e [trans. Jowett]): "You have again forgotten, my friend, I said, the intention of the legislator, who did not aim at making any one class in the State happy above the rest: the happiness was to be in the whole State."

The author's criticism of Plato's attitude toward normal love between the sexes is singularly devoid of understanding. The modern sentiment of romantic love has grown up as the result of centuries of Mariolatry and medieval and romantic Christian mysticism. It is hardly to be expected that one would find the same quality of love in Plato. The famous words from the beginning of the *Phaedo*, ἀπαγέτω τις αὐτὴν οἴκαδε, are cited as showing by their brevity a spirit of indifference, insensitiveness, and cruelty toward Xanthippe and toward wives in general, in whoever said them, whether it was Socrates or Plato. Cruelty, however, is not necessarily inherent in brevity; on the contrary, brevity is more often indicative of emotion. The very poignancy of the emotion at the end of the Paolo and Francesca episode is conveyed by the brevity of "Quel giorno più non vi leggemmo avante."

In his discussion of "Platonic love" Professor Fite shows an astonishing lack of information on the literature of the subject.¹ He would have us think

¹ Hans Licht (pseud. of Paul Brandt), *Sexual Life in Ancient Greece* (London: G. Routledge & Sons, 1932); Rolf Lagerborg, *Platonische Liebe* (Leipzig: Meiner, 1926); *Histoire de l'amour grec*, by M. H. E. Meier, translated into French by L. R. de Pogey-Castries (Paris: Stendhal, n.d.).

that Plato was a member of a select group of *delicati* and that homosexual love was, in Plato's time, a comparatively recent phenomenon in Greece. The more idealistic aspects of "Platonic love" he passes over with contempt. He finds little of beauty in the *Symposium* or in the *Phaedrus*. On this subject, as in the whole book, the author writes with scorn and without any apparent desire to understand or to explain to his readers the chief facts in Plato's life and thought.

It is impossible to go through the whole book and refute or criticize each chapter separately. Such a procedure would require many volumes as long as the one under review. I have dealt with some of the author's more important and striking misconceptions and misrepresentations. Besides these there are scattered throughout the book single sentences which strike one as being so shocking that one wonders whether the author has really read very much of Plato in Greek. Speaking of Plato's literary art, he says (p. 282), "It is for the most part the art of a clever but prosaic mind." For such statements as this, argument and critical vocabulary are inadequate. One can but cry with exasperation, "Quousque tandem . . . ?"

It is most disappointing to find so biased, so inadequate, and so ill-tempered a book coming from one so prominent among American teachers of philosophy. Positively, the author errs in misunderstanding and consequently misinterpreting certain fundamental aspects of Plato's thought; negatively, he errs no less in the omission from his consideration of such basic doctrines as Plato's theories of ontology and epistemology.

It would be pleasant to feel that one could look forward to a palinode in the fine manner of Stesichorus!

Dartmouth College

ROYAL CASE NEMIAH

Die Wunderheilungen von Epidauros. Ein Beitrag zur Geschichte der Medizin und der Religion. By RUDOLF HERZOG. (*Philologus*, Supplementband XXII, Heft III.) Leipzig: Dieterich'sche Verlagsbuchhandlung, 1931. Pp. 164.

Sprache und Stil der Iamata von Epidauros. Eine sprachwissenschaftliche Untersuchung. By RUDOLF NEHRBASS. (*Philologus*, Supplementband XXVII.) Leipzig: Dieterich'sche Verlagsbuchhandlung, 1935. Pp. 92.

These studies, though they appear four years apart, have just come to me for notice, and are to be considered together, as was evidently intended by their authors. Herzog, in the former, announced the latter as in preparation; and Nehrbass continually refers to Herzog's text, on which his linguistic study is based. Together they present a careful and valuable appraisal of a body of documents of singular value.

Professor Herzog dedicates his work to Hiller von Gaertringen in Greek hexameters more notable for good will than for elegance. The intended com-

pliment, however, was well deserved by the devoted epigraphist, who had with his usual competence edited the inscriptions of Epidaurus (*IG*, IV², 1). Herzog himself here presents a new edition of the texts based upon a careful examination of the stones and squeezes, supplemented by the labors of others. For those texts which remain quite or nearly intact little, if anything, remains to be done; in the case of the more fragmentary ones there will always be room for divergent suggestions. Nehrbass (p. 2) communicates three corrections, offered by Herzog on the basis of subsequent examination of squeezes, and four conjectures of his own, suggested by his study of the language of the inscriptions. There can be no question that the text as a whole is now considerably improved.

Opposite the text Herzog prints a German version, to which one cannot take exception if one accepts his restoration of the text. There is, however, one instance in which, I believe, he must be in error. It is quite evident, indeed, that the *στίγματα* removed from the brow of Pandarus the Thessalian are the *γράμματα* which were later found adhering to the bandage. These were afterward, according to the text, transferred to Echedorus. I can see no reason for believing that these were *letters* (*Buchstaben*): the *γράμματα* were simply "marks," of whatever kind. Was Herzog thinking of Rev. 13:3-4? There would be some excuse for doing so, but I doubt whether it would be a good one.

In addition to the text of the inscriptions Herzog gives that of the other miracles of healing performed at other centers of divine healing derived from Epidaurus and such as are reported in ancient writers. Thus we have here brought together the entire body of these reports in an acceptable and handy form for study and appraisal as a whole.

Valuable and welcome as all this is, it is only the basis for what Herzog evidently regarded as his more important task. To this our author addresses himself in three chapters, under the headings (a) "Redaktion, Quellen, Stil und Tendenz der Sammlung"; (b) "Kommentar"; (c) "Asklepieion und ärztliche Praxis." There is much excellent discussion of all these subjects, though one feels that questions which are debatable are somewhat too dogmatically answered. While it seems clear that the official document was indeed based on votive inscriptions, themselves formulated under the influence of the priests and edited for purposes of propaganda, it is hardly possible to accept the view that the record is all made in good faith. One must, of course, allow for superstition and for the efficacy of faith in furthering the influence of mind over the body; but the very motive of propaganda involves a mental bias which affects the selection of cases to be reported and the statement of the issue. How far this came to consciousness is a difficult question to decide, in modern instances as well as in the cures of Epidaurus. Herzog is perhaps too much inclined to absolve the priests of *mala fides*; while at the same time he is too free in denouncing certain other practices, as when he speaks of homoeopathy as a superstition. One suspects that this dictum reflects the views of

his medical colleagues, who belong to the "old school." Nevertheless, Herzog has gone farther in the evaluation of the subject than Weinreich in his *Antike Heilungswunder*. To many readers not the least interesting part of his discussion will be found in the comparisons instituted between the ancient and modern records of cures reported as made at pilgrimage shrines. Psychology still has much to learn: *Ψυχῆς πείρατα ἰὼν οὐκ ἂν ἐξέυροιο, πᾶσαν ἐπιπορευόμενος ὁδόν· οὕτω βαθὺν λόγον ἔχει.*

The linguistic study of the official record of cures at Epidaurus by Nehrass is to be heartily commended. Regarded as the earliest semiliterary document of the Greeks (as dating from the second half of the fourth century) preserved in the original form, the text is undoubtedly of considerable importance. Nehrass speaks of the dialect as Doric of Argive color, with a clear leaning toward the *κοινή*. One wishes that the latter point were more fully developed, for it involves questions which are exceedingly far-reaching and which have not to my knowledge ever been duly appreciated. How does a *κοινή* arise? Homer's epics are preserved, and, I doubt not, were written in a *κοινή*. Literary Ionic is a *κοινή*, which from the first bears a characteristic stamp. It does not, however, conform to the dialect of a single Ionic city, as represented by the local inscriptions. The same is true of all the great literary kinds, such as those represented by Alcman, Stesichorus, Pindar, and the Attic dramatists. Will not some competent scholar undertake to treat this great subject with a due appreciation of its implications?

It is not necessary to examine the work of Nehrass in detail. Though I do not pretend to special knowledge in this field, it seems to me to have been competently done.

W. A. HEIDEL

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Excavations at Olynthus. Directed and edited by DAVID M. ROBINSON. Part VIII, "The Terracottas of Olynthus Found in 1931," by DAVID M. ROBINSON. ("Johns Hopkins University Studies in Archaeology," No. 20.) Baltimore: Johns Hopkins Press, 1933. Pp. xii+111. Pls. 61, 3 colored. \$10.

Following the praiseworthy custom of publishing the results of an archaeological campaign at once, Mr. Robinson presents us a second volume dealing with terra-cotta figurines found at Olynthus. Four hundred and eleven new pieces are described, bringing the total number hitherto uncovered to over eight hundred. The catalogue is very carefully done. We find not only a detailed description of every specimen accompanied by the necessary statements about provenience, measurements, technique, and date, but also ample references to parallels and discussions of problems concerning the particular type. The peak of completeness is reached by illustrating each piece, fragmentary and inconspicuous though it may be, and by adding two indexes, of which the second giving the distribution is especially valuable.

The catalogue is preceded by an Introduction in which Mr. Robinson draws several important conclusions from the finds. As in the other fields of

archaeology, e.g., in regard to architecture, so also for our knowledge of Greek terra cottas the excavation of Olynthus is proving extremely fruitful. New light is shed on the manufacture and on the export of terra cottas. So a figurine made from the same mold as one from Mesembria was found at Olynthus. Many duplicates point to native factories; it is interesting to note that such duplicates may differ in the texture and in the color of the clay. Robinson is certainly right in claiming that plastic vases were not a special form of art, as has been maintained, but were manufactured by the same coroplasts who made the figurines. The coloring is preserved in many cases to a great extent, so that our knowledge is increased also in this respect. The conclusions which the author draws as to the use and the meaning of the various types from their distribution in houses or graves are particularly valuable. I can mention only a few points. The main purpose of the terra cottas in the houses seems to be decorative, although some of the types, such as masks, may have had a religious meaning. In the tombs, seated female figures prevail, whereas negroes are wholly absent; many pieces were broken purposely, but more than half were found intact.

Robinson's assertions are all very convincing generally, so that little is left for criticism. As to dates, he is certainly right that not a single piece points to a later time than the destruction of the town in 348 B.C. I disagree with him only about the dating of some earlier figurines, for instance, Nos. 217-19 and 263, which I would date within the fifth, not the sixth, century. Also, No. 256 seems to be later than the early part of the fifth century. It would be good if the black edge around many illustrations could be avoided in future publications on Olynthus, to which all archaeologists are looking forward eagerly.

VALENTIN MULLER

Bryn Mawr College

Ancient Textiles from Egypt in the University of Michigan Collection. By LILLIAN M. WILSON. Ann Arbor: University of Michigan Press, 1933. Pp. x+77. Pls. 23. \$2.50.

The textiles described in this monograph belong to two distinct groups, both of which form a part of the collection in the possession of the University of Michigan. Nos. 144-96 were acquired by purchase, while examples 1-143 were obtained in 1924-26 by the excavators at Karanis in the Fayum. The former add more specimens, some of artistic importance, to the known collections in American and European museums. The latter, of little artistic value, are more important because of the fact that they can be dated with great probability, on the basis of coins and papyri, belonging from the third to the fifth centuries of our era, with which they were found in houses. When we recall that this is the first instance that such data are obtainable for the textiles of Roman Egypt, we can realize the important contribution of the specimens described by Miss Wilson to our knowledge of early Egyptian textiles. Very wisely, however, the author does not attempt to establish a chronological

table for all textiles of the Graeco-Roman and later periods, because the material thus far obtained is rather limited in quantity and in quality. Nevertheless, it provides the student with more definite chronological criteria than those at our disposal until recently, and paves the way toward a final solution of the chronological problem of the later Egyptian textiles. The pieces in the collection are very fragmentary, but they enabled the author to make an excellent study of the methods employed in the weaving and the decoration of such textiles. To make her remarks clearer to the reader, the author prefaces her descriptions with a brief but very lucid explanation of ancient looms, drawing parallels from primitive Scandinavian, Islandic, and Danish looms. Her intimate knowledge of the art of weaving helped her to establish definitely that the so-called "plaited" bags from Egypt exhibited in the various museums are actually knitted, and to determine the technical process of knitting such bags. The descriptions of the fragments are concise, but definite, and clear; and the plates are very satisfactory. One would wish for at least one color-plate that would enable the reader to realize the color scheme of such fabrics, a thing that cannot very well be obtained from descriptions and black-and-white reproductions, however good. The various types of textiles produced in Egypt in the early centuries of our era are briefly but clearly discussed. More information of that type and perhaps more comparisons of the pieces in the collection with such found in American and European museums would have made this book, which is not a mere catalogue of a collection, more useful to the average reader. This monograph of Miss Wilson is a welcome contribution to the field of textiles, and scholars will be grateful to the author for her careful and systematic presentation of the material which helps to illustrate the accomplishments of the ancient world in the venerable art of weaving.

GEORGE E. MYLONAS

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Virgil. With an English translation by H. RUSHTON FAIRCLOUGH. Vol. II, *Aeneid vii-xii; The Minor Poems*. Rev. ed. London: William Heinemann, Ltd.; Cambridge, Mass.: Harvard University Press, 1934. Pp. 583.

Judged only from the second volume, this revision of Fairclough's excellent translation in the "Loeb Series" takes the form of notes, added to the volumes, in which references are given to new readings and interpretations. So, on the *Aeneid*, Mackail's recent edition, Carcopino, and Miss Saunders are duly considered; and on the *Appendix* helpful references to recent discussions of the various poems serve to bring the interpretation up to date and to reveal Fairclough's opposition to the theories of Vergilian authorship. Apparently, revision of the translation was hardly feasible without undue expense; so, for example, in *Ciris* 506, where the meter shows that *nova* agrees with *pelle*, and *squalida* with *macies*, the student is confirmed in his natural blunder by the translation "an unfamiliar leanness overlaid with rough skin."

H. W. P.

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